Preserve

App IF 12-1

1944-45
Mysore

File No. 168-44

Serial Nos. 1-12.

Previous References.

Law. 120-32-(1-2) May 33.
Mysr 57-19-(1-2) Aug 19.
" 662-21-(1-4) May 22.
" 662-21-(5-8) July 22.
Later References: 29-23-(1-9) May 29.
" 27-25-(1-5) Feby 27.
" 2-25-(1-2) July 25.
" 415-28-(1-6) Jany 30.
" 312-32-(1-4) Aug 33.
" 261-33-(1-4) Sept 34.
" 270-40-(1-2) Sept 41.
" 271-41-(1-2) March 42.

Late References
Mys 254-48 1-2
Mys Dep. 38/47-57
Mys 51-50-1-2.

P

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Twelve only

Part B for January 1947.

SUBJECT

Appeal of Dallali Ramaiah and others of Sarabandepalya, Uttarahalli Hobli, Bangalore South Taluk, regarding the lease of the lands endowed to the temple of Shri Bannashankari at the place.

(Sl. No. 11) Issued No. R-6554-5, dated the 16th January 1947.
To - The Mysore Commissioner in Mysore,
" Deputy Commissioner, Bangalore District.

Dismisses the appeal with certain observations.

(" 12) Endorsement No. R.6556, of even date - To the Appellants through their Counsel Mr. S.G. Srinivasan, B.A.Ly.
Informs them that their appeal is dismissed.
Memo No. R.6557, of even date - To the Respondent
Forwards copy of the above endorsement for his informati
Memo No. R.6558 of even date To the Mysore Commissioner
Forwards copies of the endorsement and the Memo for informa

[G. R. S. APP. F. III—1]

Muzrai Appeal
No. 7 of 44.

GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

NOTES. File No. 168-44

FILE HEADING.

Appeal of Dalli Ramaiah, and others, residents of Sarabandepalya Village Bangalore Taluk.

FROM

Dalli Ramaiah, Sworn Sab, Muniyappa and others of Sarabandepalya, Bangalore Taluk, through their Counsel Mr. S. J. Srinivasan, Cubbon Road, B. Cl

No. — Dated 30th January 1945 Received 30th January 1

Diary No. 387/31	Encls. 11 Spare copies 1	Serial No. 1

BRIEF ABSTRACT OF LETTER

Appealing against the order of the M.C in Appeal No. 22 of 1943-44, dated the 27th November 1944, upholding the order of the D.C. Bangalore Distt. in Muzrai Appeal No. 4 of 1942-43, confirming the order of the Bangalore Sub Dvn., A.D.O directing the eviction of the petitioners as defaulters from the lands endowed to Sri Bamesh anteari Temple at Sarabandepalya in Bangalore Talu

NOTES AND ORDERS.

The facts of the case are set forth in detail in the petn to the order of the Muzrai Commissioner, in Muz. Appeal No. 22 of 1943-44 dated the 27th November 1944, now appealed against which is for perusal.

(2) It is seen from the records available that the temple of Sri Banashankari at Sarabandepalya in Bangalore Taluk was constructed by one Buvappa Setty. On the request of his son, Somanna Setty a monthly cash grant of Rs 8/- was sanctioned by

NOTES—First Sheet

Muzrai Affairs : regarding the tenancy rights in respect of the lands endowed to Sri Bamashankari Temple at Sanabande palya in Bangalore Taluk.

3873/R.

Mwr File No. 168 of 1944-45 | General and Revenue Secretariat Page 2.

in their order No 2590-3/Mwr.419-18-2, dated 24-2-1919, for a period of 10 years and the grant is being continued from time to time. the latest order being No. 2977 80/Mwr. 379-40-2, dated 5-6-1941 which sanctioned the continuance of the grant upto 1949-50, the charges on this account being met out of the funds at the credit of Sri Kashivishweshwara Swamy Temple at Kasi Ghat, Serirangapatam, as hitherto A sum of Rs. 5,000/- offered by Somannashetty as an endowment for the benefit of the institution was accepted by Govt in their order No. 6044-T/Mwr. 57-19-2, dated 19-8-1919. "C"

(2) Later on the same person offered certain lands in Jaragenahalli, Harisandra and Sarakki villages in Bangalore Taluk, valued at Rs. 20,000/-, and assessed at Rs. 128 9-0 for the upkeep of the temple and the offer was accepted by Govt in their order No. 5514-8/Mwd. 662 21-4, dated the 15th May 1922, who directed that the lands might be leased out in consultation with the for a period of 5 years, and that he might be appointed the Sole Dharmadarshi of the temple during his life time. "E"

Village.	S. No
Jaragenahalli	46/2
	48
	65
	66
2. Harisandra	21
	22.
3. Sarakki	21/1
	71/2.

(1) The ma[illegible]ntly noted lands were accordingly leased out for a period of 5 years from 1922-23 Of these lands the tenants in possession claimed Kadim tenancy rights, but as no such rights could be [illegible] in respect of enumerated lands, and as the rights of these tenants could only be decided in a civil court, the M.C. ordered on 9-2-1930, that the tenancy of the lands in question

might be sold for 5 years, to the best advantage, provided the Sole-Dharmadarshi undertook the conduct of any civil litigation that might become necessary on behalf of the institution, and that if the D.C so considered, he might continue the disputants as lessees provided they agreed to pay the same rent as would be realised in public auction of the leasehold rights and conformed to the conditions governing the lease of lands belonging to similar institutions.

(5) The parties having approached the M.C. with the prayer that his order directing the disposal of the lands might be reconsidered as they were Kadim tenants, he ordered on 12.7.23 that as there was no provision under the rules to oust these tenants the Sole-Dharmadarshi should either file a civil suit to evict them or seek relief from the D.C. as a superior holder. On the appeal of Somanna Shetty preferred before them against the order of the M.C., Govt confirmed the order of the M.C. (G.O No. 10-1022 | Muz. 29-23-5, d. 26.1.1924.)

(6) The Sole-Dharmadarshi having applied in November '23 to Govt. for the assumption of the institution and its properties under their control, they granted his request in G.O No. 1[illegible] Muz. 29-23-7, dated 26.3.24. and directed that the management of the temple and the lands shall vest on their behalf, in the Sole-Dharmadarshi during their life-time. Govt. permitted him in their order No 71 / Muz. 2-25-2, dated 14.7.25 to sue the tenants in a competent court of law to recover the rents due from them. Accordingly he filed 9 suits against the defaulters in the First Munsiff's Court, Bangalore. The suits were compromised in Court in original Suit No. 706 of 1924-25 on the file of the court on condition that if the defendants failed to pay the rent in 20

for a period of two years, they were liable for being summarily evicted.

(7) Govt accorded their approval, in their order No 15th & Mwn 264-27-4, dated 17.3.1928 to treat the suit lands as temple property subject to the terms of the compromise and to recover the arrears of rent from the parties and credit the realisations to the temple funds. The tenants paid rent under the terms of compromise up to 1933-34. During that year receipt pattas were granted to them unauthorisedly by the Shanbhog, after the introduction of R.R scheme into the Taluk.

(8) [Somanna Setty having died his son, Shankarappa Setty is the sole Dharmadarshi at present.]

(9) As the tenants defaulted the local authorities issued notices to them. The parties contended that as they had become pattadars they were not bound to pay enhanced rent, that they need pay only the assessment on the lands and that arrears due from them, if any, had to be recovered through a civil court. The Amildar having reported that as the lessees has become defaulters it was open to Govt to resume the lands cancelling the lease and lease them afresh on new terms, and that mere issue of patta did not create any rights in their favour the S.D.O., Bangalore Sub Div., ordered on 18.11.1942 that as the grant of patta was a collusive transaction between the Village Shanbhog and the defaulters action should be taken to cancel it and that the defaulters should also be evicted from the lands, these being leased out afresh thereafter

(10) Against this order of the S.D.O. the tenants filed an

appeal before the D.C, Bangalore Urban.. who, however, rejected their appeal with the observation that the compromise decree of a Civil court will not be a bar for the recovery of arrears under the provision of L.R. Code, and that the contention of the parties that arrears should be recovered by a resort to Civil Court was untenable.

'B' (11) The parties appealed to the M.C against the order of the D.C. The M.C. is of opinion that the grant of pattas to the parties by the Shanbhog was irregular, that as the lands have been endowed to the temple and accepted by Govt. the sole- Dharmadarshi had the right to enter on them and evict the defaulters and that there was no question of Kadim tenancy in respect of unalienated lands. As the sole- Dharmadarshi considered that it was prejudicial to the interest of the temple to continue these defaulters as tenants, the M.C., agreeing with him dismissed the appeal and upheld the action taken by the local officers in leasing out the lands.

(12) Whether the appeal now preferred against the order of the M.C. is to be admitted is for consideration.

Subd 13/1/45 (13) The question [illegible] a complicated one requiring careful examination. The compromise decree refers to the recognition of the tenants as permanent tenants liable to pay enhanced assessment while the orders now passed treated on the premises that there is no question of Kadim tenancy.

Muzrai Appeal regarding the tenancy rights in respect of the lands endowed to Sri Bramashankari Temple at Sarjabandepalya in Bangalore Taluk
C. F. 69]

(14) The entire records may be called for and the Law Deptt also consulted

45-93
9/2

(15) Draft calling for the records subd.

13/2/45

(16) After the receipt of the records the file may be referred to the Law Deptt for opinion

13/2/45

(17) Issued No.R.5437, dated the 15th February 1945

To- The Muzrai Commissioner in Mysore.

Forwards the appeal petition for ~~=~~ report with the connected records.

Letter No. M I C. 1114/44-45, dated the 15th May 1945

From the Muzrai Commissioner in Mysore.

Forwarding the connected records with a copy of the report on the subject received from the D.C, Bangalore Distt. and stating that for reasons mentioned the parties have no case.

(18) After studying the records received from the M.C. it is seen that several files relating to the subject have not been sent for reference although all the available records were called for along with the report.

(19) The order of the M.C. bearing No. C 582 of 1922-23, dated the 22nd February 1923. a copy of which is forthcoming in the file now received, throws some light on the question of the permanent tenancy rights claimed by the petitioners before Govt. A detailed Ex-

enquiry was held by the Taluk authorities and the contending parties afforded opportunities to adduce evidence in support of their contention. The local officers including the D.C. came to the conclusion that the petitioners had failed to prove their right to permanent tenancy in respect of the lands and that as the counter-petitioner (Viz, Somanna Shetty the then ~~and the father of the present~~ Sole-Dharmadorishi) had purchased these lands from the previous holder with full and undisputed right of ownership, the claim of the petitioners was untenable. The D.C. observed that in the circumstances of the case and also of the fact that Kadim tenancy is not recognised in respect of Sirkar lands and that the rights of all other tenants are of a civil nature to be established in a court of law, the Amildar should sell the tenancy rights for 5 years to the best advantage of the institution, the question of continuing the existing tenants as lessees on the same rent as would be realised in open competition subject to their executing muchalikas under the rules, being left to the discretion of the D.C. if the latter course was considered to be for the benefit of the temple.

(20) As already explained above, Somanna Setty filed a suit in the First Munsiff's Court, Bangalore, against each of the tenants, which terminated in a compromise which was accepted and decreed accordingly by the court (in O.S. No. 706 of 1924-25, dated the 31.3.26 relevant for the present case The conditions of the compromise are:-

(i) the defendant to continue cultivation of the suit-land as permanent Kandayam tenant, as long as he regularly pays to the plaintiff - as Sole Dharmadorshi - or his successor in office, subject to the enhancement of rent by 25%;

(ii) the defendant shall on no account allow the cash rent for any year to fall into arrears for more than two years, such default rendering the

tenant liable for being summarily ejected out of his holding and the Sole Dharmadarshi to have the right to reenter on the land and resume possession thereof;

(iii) if the tenant were to obtain any relief against forfeiture, in any court of law or is allowed by the Sole Dharmadarshi for the time being, to continue the tenancy it shall be on such fresh terms as the latter or his representative may stipulate;

(iv) the tenant or his representative in interest not to alienate the holding without the knowledge of the Sole-Dharmadarshi.

(21) The f/l. of the Taluk office contains petitions presented by the tenants during and subsequent to the month of Deer 1941, contending mainly that as their rights as permanent tenants paying a fixed Kandaya had been recognised by the local officers and recorded as such in the R.R. Index of Lands and that as patta books had also been issued to them, neither the Revenue nor the Muzrai authorities had any right to take coercive proceedings against them for the recovery of amounts due from them under a civil court decree.

(22) In the course of submitting a report, the Amildar has stated that no Kadim tenancy exists in respect of Sirkar lands, that when the tenant default it is open to Govt. to resume the lands, cancel the lease and lease out them afresh on new terms. Grant of pattas does not create any new right or title to the lands & that section 12 of the M.R.C.J. Act envisages the recovery of arrears by summary procedure. (on 10.5.42)

(23) The S.D.O passed orders on the petitions of Dallali Ramaiah and others on 18.11.42, in Mis. Petn. No B2-1676/42-43, after hearing the parties and their lawyer. He held that

the grant of pattas to the parties was a collusive transaction between them and the Shanbhog of the village and therefore ordered that the defaulters should be evicted from the lands and that action should be taken to lease them out anew for a period of 5 years under the rules, further proceedings to recover from the defaulters the arrears due from them being also taken.

(24) The lands were leased out for 5 years on 1.2.43 and the lease sale was confirmed by the S.D.O. on 10.3.43. Lease Agreements were obtained from the lessees and duly registered on 21.4.43, and they have been put in possession of the lands. The rent realised is reported to be higher than that paid by the petitioners. Later on the Amildar recommended that although the prayer of the original lessees (who appealed to the D.C. against the order of the S.D.O authorising their eviction from the lands for having defaulted payment of rent) to restore the lands to their possession was unreasonable, they deserved some mercy and that the question of cancelling the lease already confirmed might be considered after hearing the Sole-Dharmadarshi.

(25) In passing orders on the appeal preferred by the Ramaiah and others, the D.C. observed that the compromise decree does not come in the way of the recovery of arrears of rent under the L.R. code. He upheld the order of eviction issued by the S.D.O. The M.C. has also dismissed the appeal for the same reasons.

(26) From the facts noted above it is apparent that the petitioners have no right to be treated as permanent tenants in respect of the temple lands endowed by the predecessor of the Sole-Dharmadarshi and accepted by Govt.

(27) On the point of having been granted pattas and their claim to Kadim tenancy rights having been reco-

mised and recorded as such in the Record of Rights, the parties defaulted. The grant of pattas was unauthorised and as such it is not valid. As there has been a default for more than two years the Sole-Dharmadarshi had, under the terms of the compromise decree of 30-3-26, every right to enter upon the land and evict the defaulters. Their present contention that Muzrai officers have no jurisdiction to recover the arrears of rent in respect of the temple lands cannot be accepted, as the institution is a muzrai institution and the lands endowed by the predecessor of the Sole-Dharmadarshi has been accepted by Govt, and as such, the local officers have unfettered power to take action for the recovery of arrears of rent or revenue due to the institution under section 12 of the M.R.C.I. Act. The record of the petitioners as tenants has been very unsatisfactory and the Donor-Dharmadarshi and his Successor had to seek the help of Civil and Muzrai courts to safe guard the interests of the institution, which were compromised by their default and intrigues. Several opportunities were available to them to clear the arrears of rent and obtain sanction to their continuance as tenants. Instead of doing so they have acted against the interests of the temple and have tried to create interests in the temple lands which they did not, and possibly could not, possess. The action of the local officers in leasing out the lands after resuming them from the parties is therefore in order.

(~) Subd. for orders.

24/4/47

(9) The facts of the case are clearly explained in the order of the R.C. The revision petition

the parties as defined in the judgment & Compromise decree which provides for the re-entry of the Dharmadarsi when the tenant commits default for 2 years. In this case admittedly there was such default. The appellants contend that the relief should be given only by limit boards and not by the Munsiri Officers. The right of re-entry having been conferred on the Dharmadarsi, it is open to the latter to enter on the lands & dispose of them.

(30) The appellants would a sympathetic view be taken & recovery be given in possession of the lands. The Dharmadarsi contends the appellants undervaluation & consequently the M.C. is not favour of giving them any concession.

(31) The appeal may perhaps the report, the said suit having also compromised

(3A) On perusal of Hay Y decree it is not brought to contention by the appellants. The order of the Mysore Commissioner Hay X mentions the points at issue & there are no sufficient grounds to interfere with the order of the Mysore Commissioner, except on the question to restore the lands back to the appellants under a fresh lease as contemplated in (Hay Y) decree. There is absolutely no necessity for first to resort to a Civil Court of law, for eviction, as the rights & evict the defaulting tenant has been conferred on the landlord, under the terms of the decree itself clearly.

(3.) The contention of the appellants is wholly untenable, & the appeal may be rejected.

Law Secretary) 12/9/43

950

(3B) Since the Validity of the Decree (Hay Y) is not in dispute and it expressly states that the tenants are Permanent Kandayam tenants it cannot be said that there is no rights of permanent tenancy, with respect to the lands. The order of the M.C proceeds on the view that since the tenants defaulted the lease ipso facto ended and the landlord was entitled to take possession of the lands. The terms of the Decree relied upon for this, are those which provide for forfeiture - According to the Transfer of Property Act the landlord must issue a notice to the tenants before a clause of forfeiture in a lease is sought to be enforced

Appeal regarding the tenancy rights of tenants
to Sri Banashankari Temple at Sarabandepalya, Bangalore Taluk

SA 15/R

Serial No.

A 1

It is not clear if this was done

(37) The tenants have it is said Deposited or tendered the amount Due - The M.C has in his order noticed this but observed that the Sole Dharmadarsi deems the continuance of the present tenants as being detrimental to the Institution and that he agrees with it — the tenants has a statutory right under the Transfer of Property Act to be relieved against forfeiture. if the tenants Deposits the amount Due. Even after the filing of a Suit. In 30 Mys H.C.R 187 which related to a Suit for ejectment of a tenant of an agricultural land, the High court allowed time for payment of the amounts due by the tenants, at the Stage of appeal. If the principle of this Decision is adopted the tenants are entitled to relief.

(38) The contention that the tenants cannot be ousted out of the lands Summarily and Except by means of a Suit is not such as to be easily discarded - Admittedly. Suits were filed once after the Endowment to eject the tenants and resulted in compromises. There is no Specific provision in the R.C.I. Act under which a party to a Decree can work out the terms of a Decree of a Civil court without the intervention or intervision of that court

(39) These matters are however important Enough to justify the case being posted for hearing the Counsel.

(42) Pleadings NOTE—Contn. Sheet 5/10

Minister Agriculture).

RV. 26/9/45

(41) Records/3 Mysore 4/10/45 RV 2/10/45 (40) MD 30/9

3 2/9

by right, in respect of the
... is donated to Sri Umamaheswara Temple at Saraswathipalya in
Mangalore Taluk.

5418/R.C. 2397

Page 1/A

Mug File No. 168 — of 1944 45

General and Revenue Secretariat

Serial No. 4.

DEC 21 1945

(43) Draft Subd – refer Para 42 Supra.

9/10/45 30/10/45

(44) Issue for 30/10

Issued N 13345, dated the 19th October 1945 from the Munsif Commissioner in Mysore, Enquiries whether a notice has been issued by the land lord before enforcing forfeiture of the lease.

Letter No Nr.1-C 1114/44-A5, dated the 27th November 1945, from the Munsif Commissioner in Mysore, forwarding a copy of the report dated 1.1.45 received from the D.C. Mangalore District, intimating that notices under Section 209 of L.R. Code have been served on the tenants

(45) Submitted for orders with reference to para 42 Supra.

(46) These notices were issued with Memo No. Mun. 147/42, dated the 26th October 1942, from the Amildar to the R.S. Uttarahalli Hobli, and have been served on the tenants on the 4th November 1945 (47) Both the notices – one under the T.P. Act and the other under the L.R. Code

1/11/45

2

Land Rev 1/11

2276

(48) It is doubtful if Sec 209 Land Revenue Code under which notice is said to have been issued applies to the case as ejectment of Ryots is ordered on the basis of the terms of an agreement embodied in a Decree and not in accordance with Statutory provisions. Reasonable time has to be allowed to the person in possession to vacate the property. The notice is therefore not valid. Parties may be heard about these & other points

Case posted to 19.2.46 for hearing

Notices issued to the parties [illegible]

Minister Agriculture)

21-12

(49)

Re: Banaswankhare Temple lands
Arrears of rent due from the tenants.

G. F. 74.]

Routine Notes.

2397/42

[To be used only for notes, requisitions, etc., not intended for permanent record.]

(50) The tenants paid rent under the terms of compromise indicated in the Court decree up to 1933-34. During that year receipt Pattas were granted to them unauthorisedly by the Shanbhog soon after the introduction of the R.R. Scheme into the Taluk. Thereafter they contended that they were as Pattadars bound only to pay the assessment on the lands in question and not any rent therefor and that the arrear if any, due from them could only be recovered through a Civil Court.

(51) The report of the Amildar, dated the 9th February 1944, shows that out of a sum of Rs. 1649-36, being the cash rent due from the petitioners from the year 1933-34, they had paid only Rs. 945-10-3 leaving a balance of Rs. 703-9-3. Since they had paid a further sum of Rs. 450-11-10 as land revenue, the Amildar adjusted this towards the arrears of rent. On 8-1-1944 a sum of Rs. 252-13-5 was credited by the parties. Thus according to the Amildars figures, practically the entire arrears as they stood on 8-1-44, are stated to have been received from them.

Submitted
16/2/46.

N.B.— Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Appeal re: the lease of lands of Sri Ramaswamiswami Temple of Sarabandepalya, Bangalore South Taluk.

C. F. 74.] 2397/R, 5391/R & 5429/R,

Routine Notes. Page

2397/R.

WD 07111—GPB—50,000—29-7-44

[To be used only for notes, requisitions, etc., not intended for permanent record.]

(52) Case called. As the Respondents counsel applies for an adjournment Case adjourned to the next session.

26/2/46.

No. 615

(53) Monday 15th April 1946 — 3 P.M — may be fixed for hearing the Case.

(54)

31/3

2/4

for 2/4 Rd. 4/4/46.

Notices to parties issued on 5-4-46

letter dated the 13th April 1946 from the S.G. of Govt. Hon. B.N. Rau, Advocate Bangalore City forwarding the vakalat filed by the appellants in the above appeal & requesting an early hearing of the case.

Call for the 15th April 1946

Mr Ayappa, Govt. Pleader for the State of Mysore against the order of the H.C. in Misc. Appeal No. 2 of 1943 AA & dated the 27th November 1944.

(55) From the vakalat produced by Mr Ganesh Rao, it is seen that the original appellants except Basappa and five others have signed the document appointing this

N.B.— Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Mis. Appeals for Banashankari in Sarvabhaumanagara, Bangalore South taluk
2397/R of 5391/R of 5402/R

General and Revenue Secretariat | Misl File No. 164 —— of 1944 45 | [App. F. III-2 Page 17

Serial No.

Advocate as their new counsel. His request for adjournment has been conceded as the case had to be adjourned on account of the meeting of the Executive Council.

(56) The original counsel (Mr S.G. Srinivasan) for the appellants has now filed an appeal on behalf of four new persons against the same order of the M.C. as before, viz. in Misc. Appeal 4 of 1942-43, dated the 27th November 1944. The present appeal is preferred under Section 216 of the Land Revenue Code which cannot be made applicable to cases falling under the M.R.C.S. Act. The appeal is clearly time-barred under this Act and as such cannot be admitted at this stage.

(57) Subd for orders

21/9/46

(58) The present appeal
on behalf of those
not specified in the
first appeal from 2 the
limitation act of time
The hearing may be
confined to those — the
two appeal

(59) The main contention of this appeal as compared to the question of limitation may be the question if we will be called upon for decision in the first instance upon giving on the merits

(60)

Min Agri.)

9/5

5.73 2 4
22 MAY 1946
DEPT OF AGRICULTURE

THE MINISTER FOR AGRICULTURE
MAY 31 1946
6936.

NOTE—Contn. Sheet
Case posted to 18.11.46
Notice issued to parties on 4.11.46.

Appeal of Dallali Ramaiah and others re. the hereditary rights in respect of the lands endowed to Shri Ramalankeswara Temple at Sarakunte palya in Bangalore South Taluk

Mot File No. 168 — 5A-29/R. of 1944-45 | General and Revenue Secretariat Page 18

Serial No.

(61) The appeal (No 7) relating to Munigotta & three others Dallali Ramaiah & Others is dismissed as being barred by time, after hearing their Counsel Mr. D. Ganesh Rao. | filed on 17-4-46

(62) The Civil appeal will be heard on 20.12.1946. The Counsels for both parties were informed.

18/11/46

18/11

18/11/46

29.11.46.

(63) Submitted with a draft endorsement communicating the orders in para 61 supra

25/11/46

(64) Issue

26/11

Issued M.R. 5283, dated the 27th November 1946 &

To. Muniyappa and three others of Sarakunte palya

C/o Mr. S.D. Ganesh Rao. B.A. B.L. Gandhi Nagar, Bangalore City

Informs them that their appeal dated 17.4.46 is dismissed as being barred by time.

Memo. No. R-5284, of even date. To the Respondent

Forwards a Copy of the above endorsement.

Appeal of Dallali Ramaiah and others re: the tenancy rights in respect of the lands endowed to Shri Banashankari Temple at Sarabandepalya in Bangalore South Taluk.

Continuation Sheet. File No. Mis 168 of 1944-45 Page. 19

OFFICE OF THE MINISTER FOR REVENUE
No. 5512
Date 10.1.47

(65) Heard Mr S. T. Srinivasan for the appellants & Mr Viswanatha Iyer for the respondent.

(66) The appellants have no case as they have not kept up the terms of the compromise decree in the suit previous filed against them. The fraud & perfidy by the Shankaraiya, through oversight, mistake or otherwise & the incidental entries in the Record of Rights' registers do not confer or create any valid right or title in the lands or effect a change in the tenure & possession. The appellants have sent a petition to Court subsequently stating that they have deposited the entire arrears according to the terms of the decree, that they feel repentant for what they have done so far through ignorance & deception & that the lands may be continued with them. It is not known whether the petition is genuine but one of their Counsel, Mr S. D. Ganesh Rao made representation later, on the date of hearing that the appellants who are all poor agriculturists &

who have been hit hard, may be treated with as much consideration as may be possible. The lands having been leased out to third parties for a period of 5 years from 1943 the leases have been put in force as the same, it is neither equitable nor desirable to interfere with the arrangement for the instance of time, especially when there is only about 11 months for the lease to expire. If the appellants' shares be restored, it would not have any practical effect, the cultivation & gathering from in pursuance of the leases after the expiry of the present lease period may be entrusted by the Executive Officer in charge of the Temple, as appropriately as possible with the above directions, the appeal is dismissed.

Sd/-

WD 01809-GPR—60,000—26-1-43

Sd/- 8/1/47

Appeal of Dallali Ramaiah and others. regarding the tenancy rights in respect of lands of pertaining to the temple of Shri Banashankari at Sreerangapatna.

G. R. S. III—3]

ROUTINE NOTES 4039-40/R.

[To be used only for notes, requisitions, etc., not intended for permanent record.] Page 21.

Mysore File No. 168 ——— 1944-45

(67) Two drafts submitted for appl. (If the facts of the case are considered to be put forth in some detail than necessary that part of the draft will be revised to about half the present size or less).

11/1/47

BL (68) Issue as revised.

13.1.47

RECEIVED SECTION
13 JAN. 1947
G. O. & REV. SECTT.

[11] Issued No.R-6554-5, dated the 16th January 1947.

To - The M. C. with the connected records
" D.C., Bangalore District.

Dismissed the appeal with certain observations.

[12] Endorsement No.R 6556. of even date

To Dallali Ramaiah and others through their Counsel Sir. S.G. Srinivasan, B.A., B.L., B.City.

States for reasons indicated in the G.O. dated 16.1.47 their appeal is dismissed.

B. Record

17/1/47

Memo No. R-6557 of even date

To - Mr. B.S. Venkataraopantulu Gemma Mansion Road, City

Forwards a copy of the endorsement for his information.

Memo. No R.6558 of even date.

To the Dy. C. 000—20-11-45

Forwards the copies of the above for information

N B —Should not the notes be written on small slips the notes must be copied on slips pasted on this form

10769/p 44.

Appeal - re endowment land of Sri Bavasamy Temple.
With ref to paras 29 to 31 supra —

This is an appeal (under s 38 of the Mys Rel. Charitable Institutions Act) against the order of the Mys Commr d. 27.11.44 in Mys Appeal No 22/43-44 upholding the order of the D.C. that the tenants were liable to be evicted from the temple lands in question

The facts of the case are explained in full in the Mys Commr's order :-

Reg 'X'

The main contention of the

PWD I

appellants (vide appeal memo :- & notes paras 29 to 31) is that the Mys officers have no right evict them by virtue of the decree in OS 705/24-25 on the file of the 1st Munsiff : Ct. B'lore ~~that the~~ are recognizing them as Kadim tenants with permanent rights of tenancy ; that in any case they are not liable to be evicted except by a civil court.

The question at issue appears to be therefore, whether the decree

Reg 'Y'

:- in OS 705/24-25 :- recognizes their rights

of permanent tenancy; whether they cannot be evicted except by a civil court; whether they have acquired rights of Kadim tenants by virtue of pattas granted to them in 1934.

The temple and its endowments came under the management of Govt as per G.O No 1327-8/ Fly 29-2 3-7 d 26. 3 1924 & As the rents were not paid, the Dharmadarsi was authorised to file suits against the tenants which resulted in compromise decrees. Since Gudta was not paid from 1933-34 onwards the Fly Officer evicted the tenants and the lands were leased afresh for 5 years, from 1943-44. Ex 'M'

The From the compromise decrees it will be seen that the suit lands could be cultivated by the defendants permanent Kandayam Ex 'Y'

tenants as long as the annual
Kandayam with an enhancement
25% thereof was regularly paid; that
in case the rent for any one
year fell into arrear for more than
two years, the defendant shall be
summarily ejected: that in case relief
is obtained by the tenant in a court of
law against such forfeiture or if the
tenancy is continued, it shall be
on such fresh terms as the latter may
stipulate.

It will be seen therefore that
the compromise deed expressly provides
for eviction in case of default for 2 yrs.
that it fixes the rights of parties
and gives an inherent right to the
landlord to eject. The contention of the
appellants that they cannot be evicted
in due process of law in a civil court
by execution of the said deed is

untenable, as the decree states the position of the parties and does not declare the arrears due at a particular time. It appears, therefore the Revenue officers are not debarred from recovering the arrears; S. 12 of the Revenue Recovery Act - ~~Secondly~~ ~~whether the~~ Section Rule provides that arrears of rent is due to a Revenue institution may be recovered as arrears of land revenue.

Secondly regarding the rights of the appellants as Kadim tenants - Kind of is invited S. 8(1) of the L. R. Code defining the term Kadim tenancy; It which obviously arises in case of alienated land. When the lands were resumed by Govt they became Govt lands managed by the Revenue Dept. (vide appeal of Amildar Fg A.

The appellants contend that they were given the pattas and their names entered in the Sudder Lands; and that since the tenancy was continued from times immemorial, which was recognised by the Civil Court also, they are not liable to be evicted. A

Though Common Hindu rights cannot arise in unalienated Lands, it will be seen from the reports of the Amildar, the S.D.O. & A.D.J. that pattas were given by the Shanbhogue without authority; the officers urge therefrom that it conferred no rights on the tenants. From the Sudder Lands again, it will be seen that the Khata still remains in the name of the Temple. The presumption of correctness of entries in the record of rights and register of mutations is known & rebuttable when the contrary is proved. (vide S 130

of the Rural Rights Act 1927. (vide Mylodi

Article 173 (re. pattas of temple lands)

The Revenue Manual (p. 176) says p. 176 Rv
that pattas for inam lands of p. 231 Mys
temples removed should be issued
in favour of the recognised manager,
of such temples; it is not
clear therefrom, how the pattas were
granted to the tenant. The
compromise deed states that
the tenants could continue
as permanent kanakayam tenants For 'x'
subject to the living article forfeiture
and eviction in default for two
years. A presumption of permanent
tenancy arises where in the absence
of a contract to regarding the nature
and duration of tenancy, undisturbed
possession paying a fixed rent
is enjoyed for more than 12 years.

So the pattas can

case, the tenants have lost their rights if any, on default. Even if the niram lands are converted into Kandayam lands, it was held that it did not affect the fair rentin provisions of the landlord - tenant to pay Kuttai 16 TLR Rep. 59.

The appellants cannot contend that they paid according to their pattas. Even a Kadim tenant cannot refuse to pay Kuttai, as the amount fixed by the Survey Dept. cannot affect the tenant to amount payable by a Kadim tenant to his landlord as per 5 MCR 16. agreement.

For X : A. The Amildar, has upheld that an enquiry it was found that the tenants could not form permanent tenancy. Under the circumstances, it appears no such presumption could be raised in favour of the

30 MCR 131.
28 MCR 199

The express power of resumption given to Govt. or Hy officer under the Law negatives the presumption that the grant of the inam to the ~~inam~~ temple may be of the right to collect land revenue only and not also of the right to the soil. 33 MADR 1

Under the circumstances, it appears that though the appellants could be construed as having permanent rights, they have forfeited their rights and are rightly ejected by virtue of the express provisions of the confirmation deed; that ~~they cannot~~ have the right restoration of the lands will be within administration discretion only. *

The Advocate General may perhaps be consulted with ref to all the points (vide p.n-dt II. memo of appeal)

Submitted with ref to form

Appeal of Dallali Ramaiah and others Rc: the lease of certain lands pertaining to Sri Ramachandraswamy Temple at Sarabandepalya in Bangalore South Taluk.

Serial No.

On the basis of the compromise in accordance with which a decree was passed by the Civil Court in O.S. No. 706 of 1924-25 the petitioners are to be considered as permanent tenants so long as they regularly pay to the dharmadharsis or his successor in office yearly khandayam as at present subject to 25 per cent enhancement from the date of suit. The other conditions are that the petitioners should not allow the cash rent to fall into arrears for more than two years and in the event of any such default in payment on the expiry of the said period of two years they shall be summarily ejected out of their holding and the dharmadharsis or his successor in office shall re-enter on the scheduled land and resume possession thereof. If the tenant should obtain any relief against the forfeiture in any court of law or if the Dharmadharsis or his successor in office allows the party to continue the tenancy, it shall be on such fresh terms as the latter or his representative may stipulate. The parties agreed to have the present cash rent enhanced by 4 annas in the rupee and to render such personal service to the temple as may be necessary and this rate of enhancement should apply to any revised rate arrived at on the basis of a revised survey settlement. It is contended that the parties have committed such default as to entail forfeiture under the decree. The main question for consideration is whether for

NOTE—Contn. Sheet

enforcing the terms of the compromise and the consequent decree and for declaring forfeiture and for re-entry on the land, the revenue authorities can themselves act under the Religious and Charitable Institutions Act or whether they should resort to civil courts for enforcing such forfeiture and for gaining re-entry.

Admittedly, this temple is a muzrai institution having been taken under Government management as desired by the dharmadharsis. Under section 12 of the Religious and Charitable Institutions Act, arrears of rent or revenue due to a muzrai institution in respect of property belonging to that institution may be recovered by the officers empowered to recover revenue due to the Government and in the same manner as arrears of land revenue due to the Government. This section would seem, therefore, to enable the muzrai officers to recover the arrears of rent due to the muzrai institution by resorting to all or any of the steps contemplated by the Land Revenue Code, i.e. by sale of moveable property and by the sale of immoveable property, ~~by orders of detention~~, etc. There is, however, no provision under which the muzrai officers are empowered to enforce forfeiture and re-entry on the land in accordance with the terms of the decree subject to which lands are being held by the petitioners. It is a moot point, therefore, whether for enforcing such forfeiture and re-entry even the muzrai officers

Serial No.

should file applications before civil courts. This is an important point on which arguments may perhaps be heard on both sides.

NOTE—Contn. Sheet.

File No of 194

General and Revenue Secretariat

Serial No.		

Hearing on Monday 18 11 46
adjourned to 20 12 46

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE
MAHARAJA OF MYSORE.

Muzrai Appeal No.7 of 1944-45.

Appellants		Respondent.
Dallali Ramaiah,) Muniyappa,) Muniswami,) Dasappa,)	Vs.	B.S.Shankarappa Setty.
Imam Sab,) Sheik Khasim.)		

Subject: Regarding the tenancy rights in respect of certain lands of Sarabandepalya, Bangalore South Taluk, pertaining to Sri Banashankari Temple there.

Facts of the case.

The temple of Sri Banashankari at Sarabandepalya, hamlet of Jaraganahalli in Uttarahalli Hobli Bangalore South Taluk was constructed by one Basappa Setty. On the request of his son, Somanna Setty, a monthly cash grant of Rs.8/- was sanctioned to the temple by Government in their order No.2590-3/Muzrai.419-18-2 dated the 24th February 1919, for a period of 10 years, and the grant is being continued from time to time, the latest order being No.2977-80/Muzrai.379-40-2 dated the 5th June 1941, which authorises the continuance of the grant up to end of 1949-50, the charges on this account being met out of the fund at the credit of Sri Kasi Vishweshwara Swamy Temple in Gosai Ghat at Srirangapatam, as hitherto. A sum of Rs.5,000/- offered by Somanna Setty as an endowment for the benefit of the institution was accepted by Government in their order No.604-7/Muz.57-19-2 dated the 19th August 1919.

(2) Later on, the same person offered certain lands in Jaraganahalli, Karisandra and Sarakki villages in Bangalore Taluk, valued at Rs.20,000/- and assessed at Rs.128-9-0, for the upkeep of the temple and the offer was accepted by Government in their order No.6514-8/Muz.662-21-4 dated the 19th May 1922, and Government directed that the lands might be leased out in consultation with the donor for a period of five years, and that

he might be appointed the sole Dharmadrashi during his lire time.

Sl.No.	Village	S.No.
1.	Jaraganahalli	46/2 48 65 66
2.	Karisandra	21
3.	Sarakki	21/1 71/2

(3) The marginally no lands were accordingly l out for a period of fi years from 1922-23. The tenants in possession of these lands claimed Khadim tenancy rights, but no such rights coul recognised in respect of unalienated land and as the claims of these tenants could only be decided in a Civil Court, the Muzrai Commissioner ordered on the 20th February 1923 that the right of tenancy of the lands in question might be sold for five years to t best advantage, provided the sole Dharmadarshi undertook the conduct of any civil litigation that might become necessary on behalf of the institution, and that if the Deputy Commissioner so considered he might continue the disputants as lessees, provided they agreed to pay the same rent as would be realised in public auction on the lease-hold rights and conformed to the conditions governing the lease of land belonging to similar institutions.

(4) The parties having approached the Muzrai Commissioner with the prayer that his order directing the disposal of the lands might be reconsidered as they were Khadim tenants, he ordered on the 12th July 1923 that as there was no provision under the rules to oust these tenants the sole Dharmadarshi should either file a civil suit to evict them or seek as a superior holder relief from the Deputy Commissioner. On the appeal of Somanna Setty preferred before them against the order of the Muzrai Commissioner, Government confirmed the order of the Muzrai Commissioner. (G.O.No. 1022/Muz.29-23-5 dated the 26th January 1924).

(5) The Sole Dharmadarshi applied in November 1923 to Government for the assumption of the Institution and its properties under their control, and they granted his request in G.O.No.1327-8/ Muz.29-23-7 dated the 26th March 1924 and directed that the

Management of the temple and the lands shall vest, on their behalf, in the Sole Dharmadarshi during his life time. Government permitted him in their order No.71/Muz.2-25-2 dated the 14th July 1925 to sue the tenants in a competant court of law to recover the rents due from them. Accordingly, he filed nine suits against the defaulters in the First Munsiff's Court, Bangalore. The suits were compromised in court in Original Suit No.706/1924-25 on the file of the court, on condition that if the defendants failed to pay the rent in cash for a period of two years, they were liable for being summarily evicted.

(6) Government accorded their approval in their order No.1584-5/Muz.264-27-4, dated the 17th March 1928, to treat the suit lands as temple property subject to the terms of the compromise and to recover the arrears of rent from the parties and credit the realisations to the temple fund. The tenants paid rent under the terms of compromise up to 1933-34. During that year receipt Pattas were granted to them unauthorisedly by the Shanbhog concerned after the introduction of the Record of Rights into the taluk.

(7) As the tenants defaulted, the local authorities issued notices to them. The parties contended that as they had become Pattadars they were not bound to pay enhanced rents, that they need pay only the assessment of the land and the arrears due from them, if any, had to be recovered through a Civil Court. The Amildar having reported that as the lessees had become defaulters it was open to Government to resume the lands cancelling the lease and lease them out afresh on ~~fresh~~ new terms, and that mere issue of Pattas did not create any rights in their favour, the Sub Division Officer, Bangalore Sub Division, ordered on the 18th November 1942 that as the grant of Pattas was a collusive transaction between the village Sannbhog and the defaulters, action should be taken to cancel it and that the

defaulters should also be evicted from the lands, these being leased out afresh thereafter.

(8) Against this order of the Sub Division Officer the tenants filed an appeal before the Deputy Commissioner who rejected their appeal with the observation that the compromise decree of a Civil Court will not be a bar for the recovery of arrears under the provisions of the Land Revenue Code, and that the contention of the parties that arrears should be recovered b a resort to Civil Court was untenable.

(9) The parties appealed to the Muzrai Commissioner against the order of the Deputy Commissioner.

(10) The order of the Muzrai Commissioner bearing No.C.582 of 1922-23, dated the 22nd February 1923, a copy of which is forthcoming in the file now received, throws some light on the question of the permanent tenancy rights claimed by the petitioners before Government. A detailed enquiry was held by the Taluk authorities and the contending parties were afforded opportunities to adduce evidence in support of their contention. The local officers including the Deputy Commissioner came to the conclusion that the petitioners had failed to prove their right to permanent tenancy in respect of the lands and that as the counter-petitioner (viz., Somanna Shetty, the then Sole-Dharmadarshi) had purchased these lands from the previous holder with full and undisputed right of ownership, the claim of the petitioners was untenable. The Muzrai Commissioner observed that in the circumstances of the case and also of the fact that Kadim tenancy is not recognised in respect of sirkar lands and that the rights of all other tenants are of a civil nature to be established in a court of law, the Amildar should sell the tenancy rights for 5 years to the best advantage of the institution, the question of continuing the existing tenants as lessees on the same rent as would be realised in open competition subject to their executing mutchalikas under the rules, being left to the discretion of the Deputy Commissioner, if the latter course was

considered to be for the benefit of the temple.

(11) As already explained above, Somanna Setty filed a suit in the First Munsiff's Court, Bangalore, against each of the tenants, which terminated in a compromise which was accepted and decreed accordingly by the Court (in O.S.NO.706 of 1924-25, dated the 30th March 1926). The conditions of the compromise relevant for the present case are:-

(i) the defendant to continue cultivation of the suit-land as permanent Kandayam tenant, as long as he regularly pays to the plaintiff as Sole Dharmadarshi or his successor in office, subject to the enhancement of rent by 25%;

(ii) the defendant shall on no account allow the cash rent for any year to fall into arrears for more than two years, such default rendering the tenant liable for being summarily ejected out of his holding and the Sole Dharmadarshi to have the right to re-enter on the land and resume possession thereof;

(iii) if the tenant were to obtain any relief against forfeiture, in any court of law or is allowed by the Sole Dharmadarshi for the time being to continue the tenancy, it shall be on such fresh terms as the latter or his representative may stipulate;

(iv) the tenant or his representative in interest not to alienate the holding without the knowledge of the Sole Dharmadrash:

(12) The file of the Taluk Office contains petitions presented by the tenants during and subsequent to the month of December 1941, contending mainly that as their rights as permanent tenants paying a fixed kandayam had been recognised by the local officers and recorded as such in the R.R.Index of lands and that as patta books had also been issued to them, neither the Revenue nor the Muzrai authorities had any right to take coercive proceedings against them for the recovery of amounts due from them under a Civil Court decree.

(13) In the course of submitting a report, the Amildar has

stated that no Kadim tenancy arises in respect of Sirkar land, that when the lessees default it is open to Government to resume the lands, cancel the lease and lease them out afrsh on new terms. Grant of pattas does not create any new right or title to the lands and that Section 12 of the M.R.C.I. Act envisages the recovery of arrears by summary procedure.

(14) The Sub Division Officer passed orders on the petition of Dallali Ramaiah and others on 18th November 1942, in Mis.Petn. No.B2-1676/42-43, after hearing the parties and their lawyer. He held that the grant of pattas to the parties was a collusive transaction between them and the Shanbhog of the village and therefore ordered that the defaulters should be evicted from the lands and that action should be taken to lease them out anew for a period of 5 years under the rules, further proceedings to recover from the defaulters the arrears due from them being also taken.

(15) The lands were leased out for 5 years on 1st February 1943 and the lease sale was confirmed by the Sub Division Officer on 10th March 1943. Lease agreements were obtained from the leasees and duly registered on 21st April 1943, and they have been put in possession of the lands. The rent realised is reported to be higher than that paid by the petitioners. Later on, the Amildar recommended that although the prayer of the original lessees (who appealed to the Deputy Commissioner against the order of the Sub Division Officer authorising their eviction from the lands for having defaulted payment of rent) to restore the lands to their possession was unreasonable, they deserved some mercy and that the question of cancelling the lease already confirmed might be considered after hearing the Sole-Dharmadarshi. Against the order of the SDO, an appeal was preferred to the Deputy Commissioner

(16) In passing orders on the appeal preferred by ~~the~~ [in Murari Appeal No.4 of 1942-43, dated the 12th August 1943] Ramaiah and others, the Deputy Commissioner observed that ~~the~~ compromise decree does not come in the way of the recovery of arrears of rent under the L.R.Code. He upheld the order of

eviction issued by the Sub Division Offider. The Muzrai Commissioner before whom the parties filed an appeal against the A C's order has also dismissed the appeal for the same reason, in his order in Muzrai Appeal No 22 of 1943-44, dated the 27th November 1944.

(17) The present appeal before Govt is against the above order of the M C.

NOTE OF THE UNDER SECRETARY.

(18) The facts of the case have been clearly explained in the order of the Muzrai Commissioner. The relation of the parties is defined in the judgment and compromise decree which provides for the re-entry of the Dharmadarshi when the tenant commits default for 2 years. In this case admittedly there was such default. The appellants contend that the relief should be given only by Civil Courts and not by the Muzrai Officers. The right of reentry having been conferred on the Dharmadarshi, it is open to the latter to enter on the lands and dispose of them.

(19) The appellants want a sympathetic view to be taken and request to be left in possession of the lands. The Dharmadarsi considers the appellants undesirables and consequently the Muzrai Commissioner is not in favour of showing them any concession.

(20) The appeal may perhaps be rejected.

Note of the Assistant Secretary Law.

(21) A perusal of (Flag H) decree sets at naught the contention of the appellants. The order of the Muzrai Commissioner (Flag E) meets all the points at issue and there are no sufficient grounds to interfere with the order of the Muzrai Commissioner, except on the question to restore the lands back to the appellants under a fresh lease as contemplated in (Flag H) decree. There is absolutely no necessity for Gogernment to resort to a Civil Court of Law, for eviction, as the right to evict the defaulting tenant has been conferred on the landlord, under the terms of the decree itself.

(22) The contention of the appellant is wholly untenable, and the appeal may be rejected.

Note of the Law Secretary.

(23) Since the validity of the decree (Flag H) is not in dispute and it expressly states that the tenants are permanent kandayam tenants it cannot be paid that there is no right of

permanent tenancy with respect to the lands. The order of the Muzrai Commissioner proceeds on the view that since the tenants defaulted, the lease ipso facto ended and the landlord was entitled to take possession of the lands. The terms of the decree relied upon for this, are those which provide for forfeiture. According to the Transfer of property Act the landlord must issue a notice to the tenant before a clause of forfeiture in a lease is sought to be enforced. It is not clear if this was done.

(24) The tenants have, it is said, deposited or tendered the amount due - The Muzrai Commissioner has in his order noticed this but observed that the Sole Dharmadarsi deems the continuance of the present tenants as being detrimental to the Institution and that he agrees with it - The tenant has a statutory right under the Transfer of Property Act to be relieved against forfeiture if the tenant deposits the amount due, even after the filing of a suit. In 30 Mysore H.C.R. 187 which related to a suit for ejectment of a tenant of an agricultural land the High Court allowed time for payment of the amounts due by the tenants at the Stage of appeal. If the principle of this decision is adopted the tenants are entitled to relief.

(25) The contention that the tenants cannot be ousted out of the lands summarily and except by means of a suit is not such as to be easily discarded. Admittedly suits were filed once after the endowment to eject the tenants and resulted in compromises. There is no specific provision in the R.C.I. Act under which a party to a decree can work out the terms of a decree of a Civil Court without the intervention or intercession of that Court.

(26) These matters are however important enoght to justify the case being posted for hearing the counsel.

Office Note. (27) The Muzrai Commissioner who was further consulted on the point whether notices under the Transfer of Property Act were issued has reported that notices were issued under Section 209 of the L.R.Code.

Law Secretary's Note.

(28) It is doubtful if Section 209 Land Revenue Code under

which notice is said to have been issued applies to the case as eviction of appellants is ordered on the basis of the terms of the agreement embodied in a degree and not in accordance with statutory provisions. Reasonable time has to be allowed to the person in possession to vacate the property. The notice grants 15 days. Parties may be heard about these and other points.

Office Note. (29) The case which had been posted for hearing to 20th February 1946 was adjourned to 15th April 1946 but was not taken up on that day.

(30) At this juncture, Mr. S.T. Srinivasan, the original counsel for the appellants filed an appeal on 17th April 1946 on behalf of four new persons against the same order of the Muzrai Commissioner, viz., Muz. Appeal No.4 of 1942-43, dated the 27th November 1944. This appeal is clearly time-barred under the M.R.C.I. Act and as such is inadmissible.

Under Secretary's Note.

(31) The present appeal on behalf of those not specified in the first appeal seems to be belated and out of time. The hearing may be confined to those in the first appeal.

Law Secretary's Note.

(32) The maintainability of this appeal as brought and the question of limitation may be the questions that will be taken up for decision in the first instance before going into the merits.

Encls to. No 1174

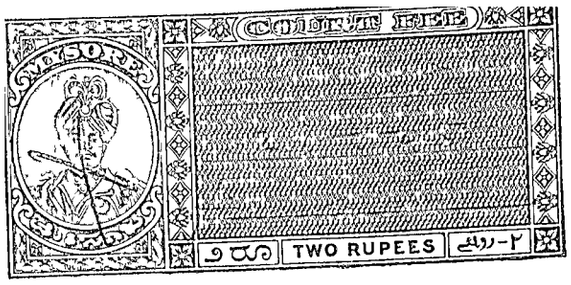
44-4

Appeal of Dallali Ramiah & others

Re Sri Banashankari Temple Cands

1) R. Dis 153/ 29.30 ✓
2) R Dis 79/ 22-23 ✓
3) R Dis 86/ 25.26 ✓
4) R Dis 110/ 24.25 ✓
5) R Dis 167/ 24.25 ✓
6) R Dis 134/ 23-24 ✓
7) R Dis 103/ 27.28 ✓
8) D Dis 14/41-42 ✓

To The Govt Secy to Govt Bangalore.



Survey 168. 44-1. 23873

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA
OF MYSORE at BANGALORE.

Muzrai Appeal No. 7. /44-45

Rd. 31/1/45.

Appellants:- 1. Dallali Ramiah
2. Imam Sab
3. Muniyappa and other residents of Sarbandepalya, Bangalore Taluk, Bangalore.

Vs.

Respondent:- B. Shankarappa Setty, Sole Dharma Darsi, Sree Banasankari Temple, residing at Jumma Masjid Road, Bangalore City.

Under Section 38 of the Mysore Religious & charitable Institutions Regulation, VII 9/1927 the appellants abovenamed, prefer this appeal against the order dated 27 11-1944 passed by the learned Muzrai Commissioner in Mysore, Bangalore, in Muzrai appeal No. 22 of 43-44 dismissing the appeal preferred by the appellants against the order of the learned Deputy Commissioner, Bangalore District, passed in Muzrai appeal No. 4 of 42-43 on the following amongst other grounds:-

1. That the courts below have completely ignored the scope of the issues involved in the case since it has not been decided that the Muzrai officers could not have any right in ejecting the appellants from their lands after the matter had been decided in the First Munsiff's Court Bangalore in O.S. 705 of 24-25 wherein it has been stated that the appellants have been recognized to be the khadim tenants and that they could

not be ejected from their lands otherwise than through the machinery of the civil court. Once there has been a decree the Muzrai Officers cannot have any right to summarily evict the tenants and that the eviction could be only through the civil court in execution proceedings and in this particular case that the evic tion could not be resorted to even by the Civil Court inasmuch as the decree has not been executed for over three years and as such the right to evict the tenants was lost unless ~~xxfxxxbxx~~ through their default which could probably give rise to a cause of action to be adjudicated afresh. The copy of the decree of the First Munsiff's Court is produced herewith to show that the proper forum for adjudication of the matters between the respondent and the appellants is the civil Court and not the Muzrai Office. All the reliefs which are now given by the Muzrai Officers to the respondent are beyond their jurisdiction and power. If the Courts below had kept this aspect of the matter in view they would have refused to interfere in giving any relief to the respondent and would have asked him to go to the civil court.

2. That the learned Muzrai Commissioner has not taken into consideration the different aspects of the matter that were urged before him and has merely referred to the civil court order in his order saying that the respondent got a right to evict the tenants if there was any default in the payment of rent for two years without at the same time taking into consideration that the respondent could only get that relief through the civil court.

3. That the order of the Muzrai

that the question of khadim tenancy in the case of the appellants did not arise is erroneous in view of the fact that the civil court where the matter has been adjudicated has held and already recognized the rights of the appellants and that the question of eviction or otherwise could only be construed in terms of the decree.

4. That the learned Luzrai Commissioner has erred in law in holding that the matter is absolutely left to the discretion of the sole Shebait whether the respondent to evict or take any such arbitrary decision in the matter for himself and he is the sole authority in that therefore in his thought that it was prejudicial to continue the appellants as tenants he was entitled to evict them. This is illegal against the terms of the decree and the provisions of the Land Revenue Code and is opposed to the principles of justice.

5. That the court below is in error in not taking into consideration the fact that there was a photo-survey of the lands of the Ambir village and that under the authority of the Land Office Receipt Patta has been issued by them to the appellants and that the appellants have not made any addition in the measurement of the disputed land as per receipt patta granted to them and has been under a wrong impression that it is in favour of the [illegible] considered of the [illegible] Shebait receipt patta [illegible]

[illegible] receipt [illegible] their hands [illegible] paid [illegible] case [illegible] the receipt [illegible] matter is [illegible] to [illegible] recollected by [illegible] in view of the fact [illegible] matter [illegible] found to [illegible] sufficient interest [illegible] that them had been [illegible] understood to be [illegible] received, the [illegible] there [illegible] to [illegible] there under the terms of [illegible] order [illegible] [illegible] [illegible]

the appellants colluded with the authorities in unauthorisedly obtaining [illegible] which has not been made by the parties concerned. None of the disputing authorities took objection to the matter at all till it was discovered by the Deputy Commissioner. As such it clearly shows that the appellants are now actually withholding arrears and the erroneous impression they had created would possibly been due to the issue of notices.

8. That the Courts below have erred in not giving sufficient time to the appellants to pay the amounts. The amounts were actually found due before the disposal of the appeal by the learned Deputy Commissioner. The matter should have been weighed with the learned Deputy Commissioner and necessary reliefs granted to the appellants.

9. That the matters have all been done after the appellants had preferred the appeal before the Deputy Commissioner and after the [illegible] repeated, the Courts of discharge of the [illegible] orally and the actual cases [illegible] have been noted in the nominee of the respondent have not actually taken effect and the [illegible] as it has been alleged it does not [illegible] and to the [illegible].

10. That the Courts [illegible] having spent heavy sums in improving the land [illegible]

[illegible] suit
[illegible] to the
[illegible] superior [illegible].

AUTHORITY

11. The Courts below erred in law to take into consideration, [illegible] proceedings
[illegible] 1022 Mag /28-2-5, dated 28-1-44 rejected the
[illegible] and the order
[illegible] the Appellants could not be [illegible] that
[illegible] the civil courts to evict the said land.
The Government therefore [illegible] and
[illegible] the Appellants [illegible].

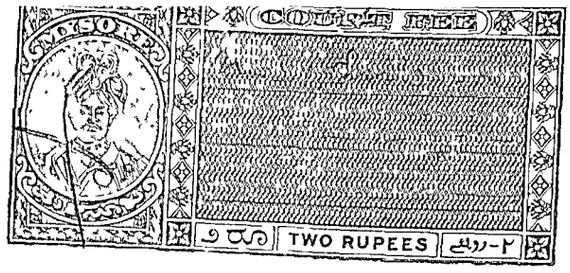
12. That the Courts below erred in law in taking into consideration [illegible] in
C. 1354-5/12 Dt. 27-4 dt 17-5-45 [illegible]
[illegible] subject to [illegible] and
[illegible].

13. The Courts below erred in law in that
[illegible] and
[illegible] in
[illegible].

14. That the order [illegible] is
[illegible].

Dated,
28-1-1945.

[illegible]
Advocate for [illegible].



Before the Court of Mysore His Highness the Maharaja
In the Court of the ..... of Mysore ....
.... Bangalore .....

Suit No. of 19 ,-19 .

Miscellaneous Appeal No. 2 1944-45

Plaintiff / Appellant *Defendant / Respondent*
Petitioner / Complainant. *Counter petitioner / Accused*

Dallali Ramiah & others } Vs. { B. Shankarappa &c

I, ... We the Petitioners ..... do hereby appoint and retain Mr. S. J. SRINIVASAN, B.A.,LL.M., Advocate, Avenue Road, Bangalore City to appear for me in the above suit / Original / Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for excution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter or to compromise in my behalf in the said suit or matter.

Dallali Ramiah

Syd Imam Saheb

Sheik Khamimulla

Accepted.

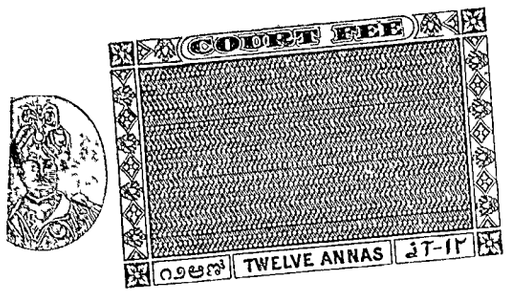
Muni Saami

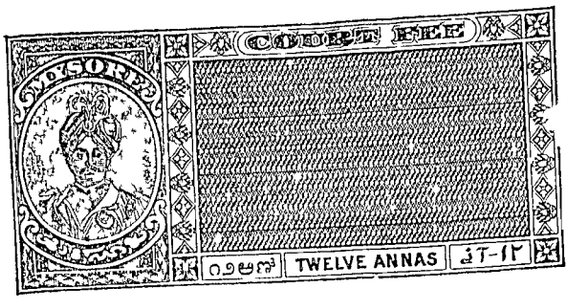
ADVOCATE,
Bangalore City,

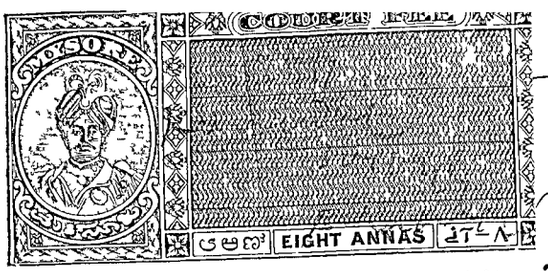
Dated, 30/11/1944

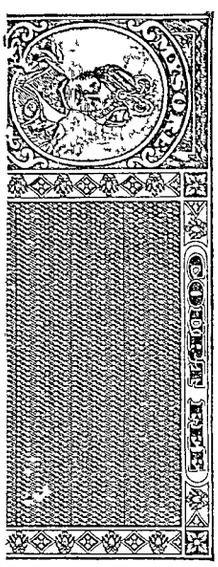
Muniyappa

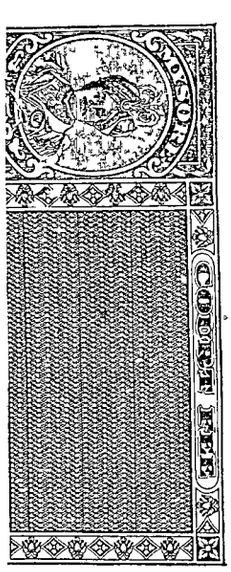
Personally known to me and signed in my presence.

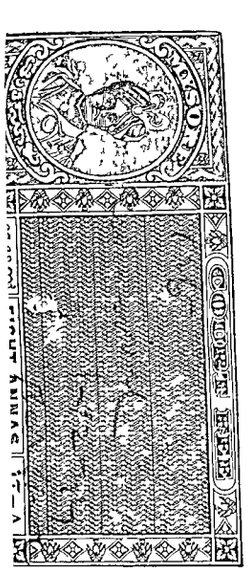






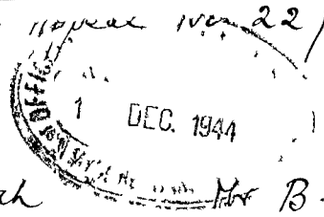






Mysore Commissioner's
Bangalore

Misc Appeal No. 22/43-44.



Appellants

1) Dalleli Ramiah
2) Imam Sabi
3) Munyappa
and 7 others
Residents of Sarabandebalya
Bangalore Taluk

Respondent

B.S Sankarappa Setty
Sole Dharmadarsi,
Sri Bamasankari Temple
Residing at Bangalore city

Subject

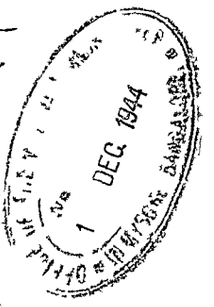
This is an appeal against the order of the Deputy Commissioner, Bangalore District dismissing the appeal against the order of the Sub Division Officer Bangalore Sub Division of eviction of the appellants for having defaulted ~~in~~ paying the arrears due from them in respect of certain lands in Sarabande Village endowed to Sri Bamasankari Temple at the place.

Facts of the case

The Temple of Sri Bamasankari at Sarabandepalya Bangalore Taluk was built by Mr B. Basappa Setty, the grandfather of the Respondent At the request of the Mr Somasetty, father of the Respondent, a monthly grant of Rs 8/- was sanctioned for the Temple by Government for a period of 10 years from 1919, and this is being Continued from time to time as per G.O. No 2977-80/Misc 379-40-2 dy 5th June 1941, The monthly grant of Rs 8/- was further Continued for a period of 10 years from 39-40 The cost being met from the funds of the Sri Kasi Vishweswara Swamy Temple at Gosai ghatt, Seringapatam as before. An endowment of Rs 5000/- offered by Mr Somanna Setty to meet the annual Rathotsavam expenses was accepted under the Charitable Endowments Scheme as per G.O. No 604-607/Misc 5-

Dated 19th August 1919. Again as per G.O No 8574-8/Muz 662-21-24 Dated 19th May 1922 the endowment of lands in Jaraganahalli Karisandra and Sarakki Villages in Bangalore Taluk Valued at Rs 20,000/- and assessed at Rs 128-9-10 Offered by Mr Somanna Setty for the upkeep of the Temple was accepted It was also ordered in the above G.O that these lands should in Consultation with Mr Somanna Setty be leased out for 5 years to the best advantage of the Temple. It was further directed that the Temple should remain under the management of Mr Somanna Setty the donor who would be the Sole Dharmadarshi during his life time. A scale of income and expenditure for the Temple was also ordered to be drawn up.

Steps were accordingly Taken to lease out the lands for 5 years. The Deputy Commissioner reported to the Muzrai Commr. That the Right of Cultivating S Nos 4 1/2 48, 65, 66 of Jaraganahalli, S Nos 21 and 22 of Karisandra and S Nos 21/1 and 71/2 of Sarakki with reference to which no claim for Kadim Tenancy had been Set up was sold & leased out to different persons for 5 years from 1922-23 on an aggregate Rental of Rs 346/- a year It was further stated that as regards the claim of Kadim Tenancy a detailed enquiry was held and that the local Officers and the Dy Commissioner were of opinion that the petitioners had failed to prove their allegation of Kadim Tenancy and that the Contemplainant having purchased the lands from the previous holder with full and undisputed right of ownership the claim of the petitioners was unsustainable. In the circumstances of the Case and also of the fact that Kadim Tenancy is not recognised by Govt, as regards Govt lands and that all the claims of the Tenants are of a civil nature the Then Muz. Commr ordered on 20-2-1923 in his Office order No C582/22-23 Dated that the Amildar should be instructed to sell the right of Tenancy of the lands for 5 years to the best advantage provided Mr Somanna Setty agreed in writing, to undertake the Conduct and Charges of any Civil Litigation that might become necessary on behalf of the Temple as Khatadar It was further observed by the Muzrai Commissioner that it was open to the Dy Commr if he Considers it proper in the best interest of the Institution to Continue the existing Tenants as lessees. provided the rent [illegible]



the fine rent as would be realised in open competition and otherwise conformed to the conditions governing the lease of lands belonging to Mr. Institutions

Vanjundappa, Karitn Sabi and other Ryots of Jaragamakelli and Karesandra villages petitioned the Muzrai Commissioner stating that they were permanent Tenants of the lands in their possession in the above villages and endowed to the Temple by the owner Mr Somanna Setty that the Sale of the lease of the lands would work as a great hardship and would deprive them of the lands which were long in their possession and prayed that the Sale already held might be cancelled and the lands allowed to remain in their possession. The Muzrai Commissioner in his order No R Dis 1/23-24 Dated 12-7-1923 ordered that there was no provision either in the Revenue Code or in the Muzrai Regulation that would authorise Govt to oust the Tenants and that the respondent Mr B. Somanna Setty should either have to file a civil suit and oust the appellant or should apply to the Dy Comm for relief as a superior holder. Mr Somanna Setty then appealed to Govt against the order of the Muzrai Commissioner. Govt in their proceedings No 1022/Muz 29-23-5 Dated 26-1-1924 rejected the appeal of Mr Somanna Setty against the order of the Muzrai Commissioner that the lessees could not be summarily evicted from certain lands belonging to the Temple and that resort should be had to civil Court to evict them either by the appellant or by the persons who had bid for the lease of the lands in the Sale held by the Amildar

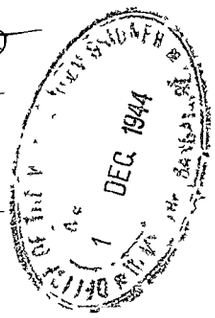
Mr Somanna Setty petitioned to Govt in Nov 1923 praying that the Temple with its endowments might be taken under Govt management under Section 3 of the Muzrai Regulation with a view to its being Treated as a Muzrai Institution etc

Government, Thereupon in their order No. 1327-8 Muz 29-23-7 Dt 26-3-1924 accorded Sanction to the assumption by Govt of the management of the above Temple with all its endowments. It was further ordered in the

above order that the management of the Temple with its endowments would be vested on behalf of Govt in Mr Somanna Setty as Dharmadarsi of the Temple during his lifetime

The Scale of income and expenditure was first Sanctioned by this Office order No. R Dis 86/1926 Dt 15-12-1925 for Rs 690-2-0 for a period of 5 years from 1-11-1925.

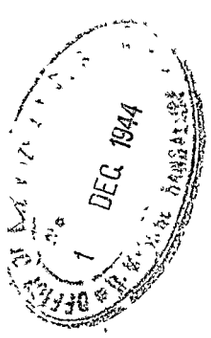
Govt in their order No 71/Rev 2-25-2 Dated 14th July 1925 accorded permission to Mr Somanna Setty to Sue the Tenants of the lands in a Competent Court of law and recover rent from them regularly. Accordingly 9 Suits were filed against the Tenants in the Court of the First Munsiff by the Sole Dharmadarsi.. Suits were Compromised in Court as per O.S. No. 706 of 1926-28 and that under this Compromise if the Tenants fail to pay their rent in cash for two years they are liable to be Summarily evicted and the Dharmadarsi shall Recover on the land and Resume possession thereof and the rent has been enhanced by 25%. According to the Compromise The Tenants have also to render such personal Services to the Temple as may be necessary. Govt in their order No 1584-5/Rev 264-27-4 Dt 17-3-1928 were pleased to accord approval to Treat the above Suit lands as Temple property Subject to the Terms of the Compromise and to recover the arrears of rent due by the Tenants as per Terms of Compromise and to Credit the Same to the Temple funds The Tenants paid the rent according The above Terms of the Compromise up to about the year 1933-34. During 1933-34 Receipt Pattas were given him by the Shanbogue who had no authority to issue the Same, after the introduction of Record of Rights Scheme since then they stopped paying the enhanced rates. After death of Mr B Somanna Setty his Son Mr B. Sankarappa by has Succeeded him in the Sole-Dharmadarshop has been managing the Temple



Notices were issued by the local authorities the defaulting Tenants to pay up the arrears. The ants' Contend that they are given Receipt pattas and Therefore have become pattadars that they need not

pay the enhanced rent and that they need pay only the assessment proper. They add that, if the arrears have to be recovered as decreed by the Civil Court action must be taken only under the Civil Procedure Code and that even the contemplated ejectment as mentioned in the Compromise Decree can be effected only after observing the formalities prescribed in the Code of Civil procedure.

The Amildar reports that no Kadim Tenancy arises in respect of Sircar lands, that when the lessees do not pay the lease amount regularly it is open to Govt to resume the lands, cancel the lease, and lease them afresh on entirely new conditions and that the mere issue of Receipt patta does not create any right in favour of the lessee which they do not already possess. Thereupon the SDO Bangalore Sub Division in his order No. B2 1676 Dated 18-11-42 observed as follows.



"--- Where the lands have been endowed to the Temple and this endowment has been accepted by a competent Authority they assume the character of Inam lands and the recovery of the dues if any is governed by the provisions Land Revenue Act. As regards the grant of patta it is a collusive Transaction between the village Shanbogue and the defaulters --- and action taken for its Cancellation the defaulters should also be evicted from the possession of the lands if they are still in their possession and immediate steps taken to lease them out for a period of 5 years as per rules"

The defaulters were intimated through notices Dated 28-10-1942 by the Amildar to pay up the arrears of rent within 15 days from the date of the receipt of the notice. They were also informed that if they failed to pay the arrears within the specified time they would be dispossessed of the lands, and that action for recovery the arrears taken against their properties. As the Tenants defaulted in the payment of arrears, the lease Sale of the lands for 5 years from 43-44 was advertised and sold on 1-2-1943 by the Amildar, and the Same Confirmed by the SDO. The new lessees also executed

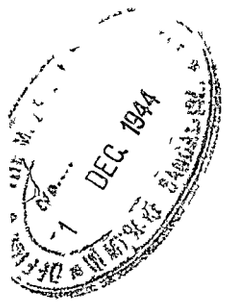
Stamped Muchalike duly registered. The lease sale fetched in annual kist of Rs 260-12-0 as against the rent of Rs. 164-14-9 which the original gulladars were paying there is therefore an excess income of Rs 95-13-3.

Against the order of the Sub Division officer, the petitioners appealed to the Deputy Commissioner who in his order No Appeal 4 of 42-43 dated 21st August 1943 has observed that the fact of a Compromise decree in a Civil Court, will not be a bar for Collection of arrears, under the provisions of Land Revenue Act; and that the Contention that the arrears are to be Recovered through the Civil Court Cannot stand to reason and is untenable. The Dy Commissioner has Confirmed the Sub Division officer's order, and dismissed the appeal. It is also ordered that the arrears still due from them Should be Recovered by the Amildar as promptly as possible. The appellants submitted a Review petition to the Deputy Commissioner who rejected it also.

The appellants have preferred an appeal before the Mysore Commissioner against the above order of the Deputy Commissioner. They State in their petition that they were given pattas during 1933-34 and they were called upon to pay the Kandayam and that in the Register of Record of Rights the lands were registered in their names. They further State that about the year 1942, they Received notices calling upon them to pay up the arrears of gulla from the Yea - 1933-34. They add that they were not given any opportunity to pay up the arrears, that at about the Conformation of the Sales by the Sub Division officer they had deposited 1/4 of the amount claimed, that by the time the appeal before the Dy Commissioner was disposed of half of the amount i.e Rs 450/- had been deposited, and that they have Recently (on 26-10-43) credited the balance of gulla arrears i.e Rs 450/- at the Bangalore Taluk Treasury and That

This was not considered by the Deputy Commissioner.

The further grounds of appeal advanced by the appellants are, that the statement that they colluded with the Shanbogue in order thereby obtaining patta is wrong, that the exact amount due from them is not determined, that the confirmation of the Sales is illegal, as they had paid 25% of the amount due, that this question was not referred to by the D.C. even though they had paid 50% of the arrears and had offered to pay the balance the petitioners lastly state that the order of the D.C. has the effect of taking away lands from all the villagers & that they have no alternative but to starve and be unemployed for the rest of their lives they pray that the order of the D.C. may be set aside and the Sale Cancelled and the lands redelivered to them



A report was called for from the Deputy Commissioner on the above appeal petition & his Report No. Muz-C. 97/42-43 dated 31st January 1944 the Amildar states that out of a sum of Rs 1649-3-6 being the Cash rent due from the appellants from 1933-34 they paid Rs 945-10-3 only and that a balance of Rs 703-9-3 still remained to be paid. It is further stated that they have subsequently paid a sum of Rs 450-11-10 towards land revenue on these lands, that this would be adjusted towards arrears, and that the balance of ~~arrears~~ of Rs 252-13-5 has also been credited to Muzrai funds on 8-1-1944. The Amildar further states that the appellants mainly depend on these lands for their living, that they have paid the entire arrears due from them, and recommends that the present lease Sales which have been confirmed for a period of 5 years from 1943-44 may be confirmed only to one year (1943-44) and the lands restored to the appellants as an act of mercy,

Subject to their executing fresh lease deeds in favour of the Temple. The Amildar suggests that the Sole Dharmadarsi may also be heard, before passing final orders. The Deputy Commissioner opines, in his letter No Rus 2660/63-III dated 21st February 1964 that, if the prayer of the petitioners merits any consideration at all, they may be allowed to reenter upon the land, subject to their executing fresh mutchalikas binding themselves to pay a fixed annual cash rent Consistent with the sulla realised on similar lands in the neighbourhood The Deputy Commissioner adds that, with this modification the Amildar's recommendation may, if it commends itself, be accepted; and that the Sole Dharmadarsi may also be heard before passing final orders.

Order

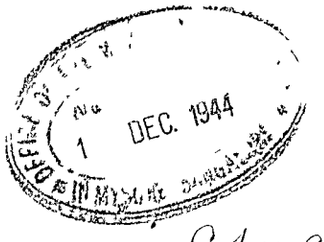
Heard Mr. N. Balakrishnaiya for the appellants and Mr. G. Srinivasaiya for the respondent.

There is no warrant for the contention that they are the pattadars of these lands. The grant of pattas to them by the Shanbogue was irregular and cannot be recognised. The lands have been endowed to the Temple and Government have accepted the endowment. By virtue of the Terms of the Compromise of the civil suit by the Sole Dharmadarsi, he got the right to enter on the lands and evict the Tenants if there was default in payment of rent for two years. This default has occured and accordingly the appellants have no reasonable ground for complaining against the action taken to evict them and resell the lease of these lands. There is no question of Kadim Tenancy in respect of enaliemated lands. After the proceedings started the appellants have

. dated the arrears due. The Sole Dharmadarsi considers that it is prejudicial to the interest of the Temple to continue the appellants as Tenants I am inclined to agree. I think that the action taken is in the best interest of the Institution I accordingly dismiss the appeal.

Sd/- M. Seshadri

27-11-1944. Muzrai Commissioner.



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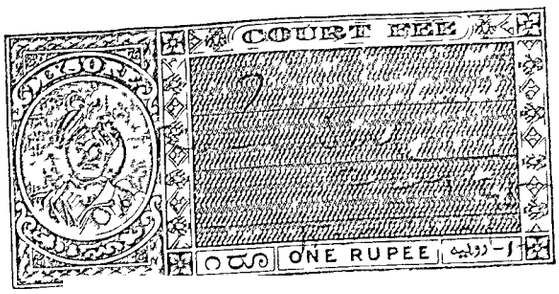
I/c Manager
Muzrai commissioner's office
Bangalore



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In the Court of the Deputy Commissioner, Bangalore District.

Dated, Bangalore, 12th August 1943.

Miscellaneous Appeal 4 of 1942-43.

~~Petitioners~~
Appellants

Dallali Ramiah and others represented by Counsel, Mr. Gurumurthy Srinivasa Rao; Advocate

Respondents

Sree. Basavashankara Swami, Sri Kempegowda Temple, Bangalore (South) Taluk, represented by Dharmadarsi Mr. B. S. Shankaranarayana Setty

Subject: Re. affairs of Sri Basavanagudi Temple, Sri Kempegowda, Bangalore South Taluk.

Order

I have heard Mr. Gurumurthy Srinivasa Rao for the appellants and

and Mr. D Ramkisoraypan Setty for the Respondent and have perused the records. The lands referred to were endowed to the Bana Shantveri temple and the endowment has been accepted by Government and as such the lands assume the character of Crown lands and any arrears due will have to be collected as arrears of Land Revenue under Land Revenue Act. The fact of a compromise decree in a civil action will not be a bar to the collection of arrears under the provisions of the Land Revenue Act. The contentions that the arrears are to be sued for and through the civil courts cannot be accepted and is misconceived.

As the pattas were granted to the appellants by the Grambhopee unconditionally and in collusion with

with them, they cannot be con
sidered as owners of the lands
though they thought so and
held up paying the lease amount
due from them. The lands have
already been leased out to others
for five years from 1943-44 and
the appellants have been evicted.
The order passed by the learned
Sub Divisional Officer on 18.11.1942
ordering the eviction of the
appellants who had become
defaulters by refusing to pay
the arrears due from them
under a false impression that
they were the owners of the lands
and that the arrears could be
recovered from them unless
through a civil Court - proceeding
appears to be quite correct
order is therefore, confirmed
and the appeal is dismissed
The arrears still due from
the respondents (or recovered

[illegible] Amildar as promptly as possible.

(Sd). R.P. Mallappa
Deputy Commissioner
Bangalore District.
12/8/43.

(Copy)
Rammumbai
Dist Statistician
D.C. comm's office,
Bangalore Dist, B'lore

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TWO ANNAS ಎರಡು ಆಣೆ MYSORE

Presented by Mr. B. Vasudeva Iyengar in Court - Civil Taken on S.R.R. - Civil Suit Number of 31-3-26.

In the Court of the Civil Judge Bangalore.

Original Suit No. 694 of 1924-25.

Plaintiff:- Somanna Setty, Dharmadarsi of the Sri Banasankari Temple.

-V-

Defendant:- Ramakka

The plaintiff and the defendant in the above suit arrived at a compromise on the following terms of compromise and pray that there may be decree accordingly:-

The defendant shall continue to hold and cultivate the suit land as permanent Kanaayam tenant as long as he regularly pays to the plaintiff in his capacity as the Dharmadarsi

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TWO ANNAS ಎರಡು ಆಣೆ MYSORE

Dharmadarsi of the Sri Banasankari Temple or his successor in office years Kandayam as at present subject to 25 per cent enhancement Rupees Twenty three and annas seven (Rs 23-7-0) (as noted) in para 3 below from date of suit less any payments already made.

2. That on the account that the defendant owe the said cash rent due for any one year to fall into arrear for more than two years and in the event of any such default in payment at the expiry of the said period of two years, the defendant shall be summarily ejected out of the holding and the plaintiff

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MYSORE

or his successor-in-office shall re-enter on the Schedule land and resume possession thereof. In the event of such a tenant obtaining any relief against the forfeiture in any Competent Court of Law or if Plaintiff or his successor in office allows him to continue the tenancy it shall be on such fresh terms as the latter or his representative may stipulate.

3/ The defendant agrees to have the present cash rent enhanced by four annas in the Rupee and to render such personal service to the temple as may be necessary and this rate of enhancement

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shall apply to any revised scale arrived at on the basis of a revised Survey Settlement.

4. The defendant shall cultivate the Schedule plots which are in accordance with the measurements and boundaries fixed in 16 when to the knowledge of the defendant a suitable survey was effected by plaintiff. Should the defendant be in possession of any portion of the land in excess of the above — he shall forthwith deliver possession of the said excess to the plaintiff. If however there is any deficiency in the plots held by the defendant in the matter of extent agreed to and fixed in 1916 the plaintiff shall have no

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MYSORE

the Name and have the boundaries marked out.

5. It is also open to the defendant to have the excess plot if any leased to him afresh on such terms as may be agreed to between the parties.

6. The defendant shall pay to the plaintiff the outstanding arrears of rent if any less payments made to the plaintiff and to Government

7. The defendant or his representative interest shall not alienate the holding without the knowledge of the plaintiff or his representative on behalf of the Banavasikari Temple. In case of any alienation the defendant or his representative

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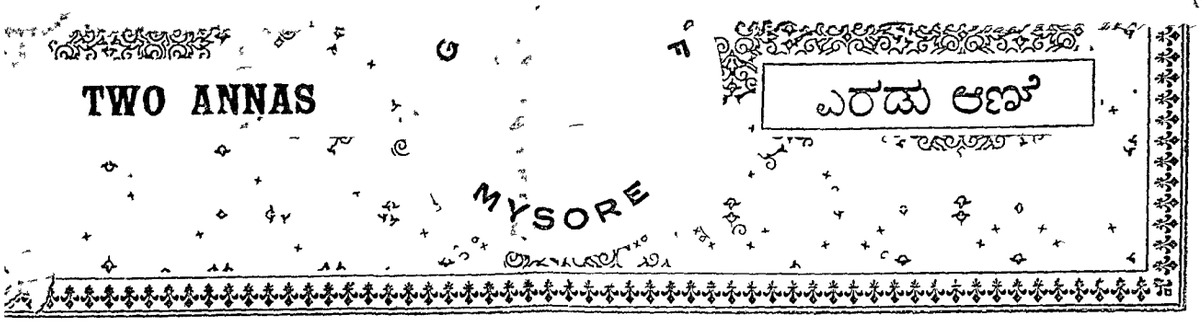

Shall be liable to pay the temple one half of the rent from that such house shall not be less than the prevailing rates of lands in the neighbourhood for the time being:

Bangalore; Left thumb mark of
30-3-1926 } Ramanna -

Sd. J. Appu Rao

Sd. B. Vasudeva Iyer

advocate for defendant

True copy

Venkatasubba Rao

for Record keeper

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BEFORE THE GOVERNMENT OF HIS HIGHNESS TH. MAHARAJA OF MYSORE at BANGALORE.

Muzrai Appeal No. /44-45

Appellants:- 1. Dallaiah Ramiah
2. Imam Sab
3. Muniyappa and other residents of Sarbandopalya, Bangalore Taluk, Bangalore.

Vs.

Respondent:- B. Shankarappa Setty, Sole Dharma Darsi, Sree Banasankari Temple, residing at Jumma Masjid Road, Bangalore City.

Under Section 38 of Mysore R & C Inam Reg VIII of 1917

the appellants abovenamed, prefer this appeal against the order dated 27 11-1944 passed by the learned Muzrai Commissioner in Mysore, Bangalore, in Muzrai Appeal No. 22 of 43-44 dismissing the appeal preferred by the appellants against the order of the learned Deputy Commissioner Bangalore District, passed in Muzrai Appeal No. 4 of 42-43 on the following amongst other grounds:-

1. That the courts below have completely ignored the scope of the issues involved in the case since it has not been decided that the Muzrai Officers could not have any right in ejecting the appellants from their lands after the matter had been decided in the First Munsiff's Court Bangalore in O.S. 705 of 24-25 wherein it has been stated that the appellants have been recognized to be the Khadim tenants and that the

not be ejected from their lands otherwise than through the machinery of the civil court. Once there has been a decree the Muzrai Officers cannot have any right to summarily evict the tenants and that the eviction could be only through the civil court in execution proceedings and in this particular case that the eviction could not be resorted to even by the Civil Court inasmuch as the decree has not been executed for over three years and as such the right to evict the tenants was lost unless ~~xxfxxxxx~~ through their default which could probably give rise to a cause of action to be adjudicated afresh. The copy of the decree of the First Munsiff's Court is produced herewith to show that the proper forum for adjudication of the matters between the respondent and the appellants is the civil Court and not the Muzrai Office. All the reliefs which are now given by the Muzrai Officers to the respondent are beyond their jurisdiction and power. If the Courts below had kept this aspect of the matter in view they would have refused to interfere in giving any relief to the respondent and would have asked him to go to the civil court.

2. That the learned Muzrai Commissioner has not taken into consideration the different aspects of the matter that were urged before him and has merely referred to the civil court order in merely saying that the respondent got a right to evict the tenants if there was any default in the payment of rent for two years without at the same time taking into consideration that the respondent could only get that relief through the civil Court.

3. That the order of the learned Muzrai

that the question of khadim tenancy in the case of theappellants did not arise is erroneous in view of the fact that the civil court where the matter has been adjudicated has held and already recognized the rights of the appellants and tha the question of eviction or otherwise could only be construed in terms of the decree.

4. That the learned Muzrai Commissioner has erred in law in holding that the matter is absolutely left to the discretion of the sole Dharma Darsi- the respondent to evict or take any such arbitrary decision in the matter for himself and he is the sole authority and therefore if he thought that it was prejudicial to continue the appellants as tenant he was entitled to evict them. This melitates against the terms of the decree and the provisions of the Land Revenue Code and is opposed to the principles of justice.

5. That the court below is in error in not taking into consideration the fact that there has been phode-survey of the lands of the entire village and that under the authority of the Taluk Office Receipt Patta has been issued by them to the appellants and that the appellants have not made any defaults in the payment of the dues according to the receipt patta granted to them and it has been erroneously held that it is the work of the shanbogue and it has not been considered how the shanbogue could issue this Receipt Pattas unless under the authority of the Amildar. and once that

had the receipt patta in their hands and they paid the dues as per the receipt patta which is the actual the actual amount due by them in view of the fact th t their lands were found to be deficient in actual acreage than had been originally understood to be comprised, they were at liberty under the terms of the decree to pay less and as such the act of the appellants is strictly under the terms of the decree and also fair and legal. Even if this should be considered as an erroneous belief created on the minds of the appellants, the learned Muzrai Commissioner could have taken into consideration that the appellants have made good the amount due as originally stipulated and that this should have been considered in their favour inasmuch as that they have not been willful defaulters.

6. That the learned Muzrai Commissioner could have taken a more sympathetic view of the case set out for the appellants in view of the ~~xxxx~~ recommendations made by the Sub Division Officer and the Deputy Commissioner and that the continuance of these appellants is in the interests of the Temple.

7. That the Courts below are in error in not considering the ~~xxxxxx~~ effects of granting pattas, the entry of the names of the appellants in the Record of Rights Register and the continued collection by the officers concerned for nearly 9 years only the amounts mentioned in the pattas, the learned Deputy Commissioner is in error in considering that

the appellants

the appellants colluded with the authorities in unauthorisedly obtaining pattas.. Such a suggestio has not been made by the party concerned. None of the disputing authorities took objection to the matter at all till it was disposed of by the learne Deputy Commissioner. As such it clearly shows that the appellants are not actually wilful defaulters and the erroneous impression they had could have possibly been due to the issue of pattas.

8. That the Courts below were in error in not giving sufficient time to the appellants to pay the amounts. The amounts were actually tendered before the disposal of the appeal by the learned Deputy Commissioner. That at least should have weighed with the learned Deputy Commissioner and necessary reliefs granted to the appellants.

9. That the kutta sales have all been long after the appellants had preferred an appeal to the Deputy Commissioner and after they were requesting repeatedly the Court to dispose of the matter early and the actual sales which have been nominal and in the nominees of the respondent have not actually taken effect and the sale even if it has taken place it does not stand as an impediment any way to the same being set aside.

10. That the Courts below have failed to see that the appellants are the permanent tenants having heavy sums in money and that the ousting of the appellants from the lands

either should have been made by filing a suit for ejectment or in the respondent applying to the Deputy Commissioner for relief as a superior Holder.

11. The Courts below have failed to take into consideration the fact that Government in their Proceedings No. /29-23-5, dated 26-1-44 rejected the appeal of the respondent's father against the order of the Muzrai Commissioner and observed that the appellants could not be summarily evicted and that resort to civil court to evict them should be had. But curiously thevery same order has been negatived by the present procedure which has been adopted by the lower Courts.

12. That the courts below have also failed to take into consideration the Government proceedings in No. 1584-5/Muz.264-27-4 dated 17-3-28 were pleased to accord approval to treat the above lands as Temple property only subject to the terms of the compromise decree passed in the First Munsiff's Court, Bangalore.

13. That the courts below have failed to see that the issue of the pattas led the appellants into a sense of security and the payment by them for nearly ten years under that erroneous impression clearly establishes their bonafides.

14. That the orders of the Courts below are opposed to law, facts and probabilities.

Bangalore,
29-1-1945.

Advocate for Appellants.

30

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA OF MYSORE.

GEN. & REV. SECRETARIAT.

G

OFFICIAL MEMORANDUM.

No. R. 5Ze37-Dated 15/2/45

Murrai
168-44
2.

The accompanying Appeal Petition Registered No. 3873-R/M17.168-44-1, dated the 30th January 1945 received at the General and Revenue Secretariat from Dallali Ramaiah and other residents of Sarabandaypalya Village, Bangalore Taluk regarding their eviction as defaulters from the lands endowed to Sri Banashankari Temple at the Village

with Compliments

is forwarded, together with its enclosures to the Murrai Commissioner in Mysore for a detailed report on the points urged in the petition with the entire connected records of this office and those of the subordinate offices

2 The petition may be returned with his report.

By Order,

General Secretary to Govt.

BANGALORE,
..... Feby. 1945.

[P. T. O.

WD 03623—GPB—3,750—6 8-35

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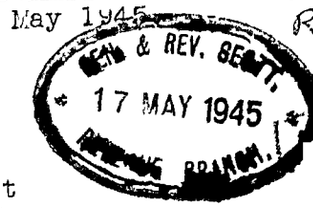
By Order,

Secretary.

Muz. 168-44-3

No. 1184/44-45 Office of the Muzrai Commissioner in Mysore,
D.C's letter file no Alh 22/43 Bangalore, 15th May 1945.
plus 2 Ver. records



To

Mahomed Ismail Sheriff, Esq., B.A.,
General Secretary to the Government
of Mysore, Bangalore.

Sir,

Appeal Petition of Dallali Ramaiah and others, re. the lands endowed to Sri Banasankari Temple, Sarabandepalya, Bangalore Taluq.

With reference to your letter No.R.5437 dated 15th February 1945, forwarding the appeal petition of Dallali Ramaiah and others, re. the lands endowed to Sri Banasankari Temple at Sarabandepalya, Bangalore (South) Taluq, and calling for a detailed report, together with the entire connected records, I have the honor to forward, herewith, the entire file of records of this office, in Muz.App.No.22/43-44, as also the connected records received with the correspondence ending with the Bangalore District Deputy Commissioner's letter No.Muz.C.3567/44-4 dated 9th April 1945.

The facts of the case have been fully set forth, in this office appeal order, and the Deputy Commissioner, Bangalore District, has also furnished his remarks on the points urged in the appeal petition.

The contention of the appellants, that the Muzrai authorities have no jurisdiction to take action, to evict them from the possession of the lands, is untenable, in view of the compromise decree passed by the I Munsiff, Bangalore, giving the right to the Sole Dharmadarsi, to enter on the lands, and evict the tenants, if there was any default in payment of rent for two years.

The temple and its endowments came under the management of Government, as per G.O.No.1327-5/Muz.23-23-7 dated 26th March 1924. As the appellants defaulted in payment of rent, in contravention of the terms of the compromise decree, and, as the lands were treated as temple property, as per G.O.No.1584-5/Muz.264-27-4 dated 17th March 1928 action was taken to evict them, and to lease out the lands by open auction. The appellants, in these circumstances, have no grounds to complain against the action taken by the local officers.

The contention of the appellants, that they are kadim tenants is, again, untenable, as there is no question of kadim tenancy in respect unalienated lands.

The lands belong to a Muzrai Institution, and the fact of a compromise decree cannot operate as a bar for taking action, under the provisions of the Religious and Charitable Institutions Act, for the recover of the arrears; and the contention of the appellants, that the relief for the recovery of rent, in case of default, should be sought through a Civil Court, is untenable.

The grant of pattas to the appellant, by the shanbhogue, is, undoubtedly, a collusive transaction, and is, therefore, unauthorised, as the lands are clearly in the khate of the temple, and there is no question of any transfer of pattas to the appellants.

After the coercive proceedings were taken, the appellants credited the arrears due, and the local officers, taking a sympathetic view, reported that the appellants might be permitted to re-enter upon the lands, subject to their executing fresh mutchalikas, binding themselves to pay rent in accordance with the gutta realised on similar lands in the neighbourhood. The Sole Dharmadarsi contended that it would be prejudicial to the interests of the temple, to continue the appellants as tenants; and I have approved of the action taken by the local officers, in setting the lease rights afresh, as it was considered to be in the best interests of the Institution.

The contention of the appellants, that they are permanent tenants, and that they cannot be ousted without resorting to Civil Court, is not tenable, as the compromise decree clearly provides that, in the event of any default in payment of gutta, the appellants shall be, summarily, ejected; and the Sole Dharmadarsi or his successor in office, shall have the liberty to enter on the scheduled lands and resume possession thereof.

The contention, that the authorities took no objection to the issue of pattas by the shanbhogue for a period of about nine years, and that the appellants were not wilful defaulters, etc., are not any valid grounds for refusal to pay at the enhanced rates, as stipulated in the compromise decree.

All the aspects of the question have been fully considered, while passing orders in the appeal before this office.

A copyx of letter No.C.3567/44-45 dated 9th April 1945 from the Deputy Commissioner, Bangalore District, together with the appeal petition

and its enclosures, received with your letter, is sent herewith.

I have the honor to be,

Sir,

Your most obedient servant,

N Ramaswami

Senior Assistant Commissioner
For Muzrai Commissioner.
(Absent from headquarters)

Muz.2440/43-44.
Encl. Records.

Office of the Deputy Commissioner,
Bangalore District,
Bangalore, dated 21st Feb. 1944.

From

Mohomed Ismail Sheriff Esq., B.A.,
Deputy Commissioner,
Bangalore District,
Bangalore.

To

Rajaseveprasakta
M. Seshadri Esq., M.A.,
Muzrai Commissioner in Mysore,
Bangalore.

Sir,

Subject. Lands at Sorabenapalya, Bangalore South Taluk endowed to Sri Baneshankari temple. Petition of Dalali Ramaiah and others appealing, against the orders of the Deputy Commissioner, Bangalore District, passed in Muz.Appeal No.4/42-43 dated 12-8-1943- Report on the-

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With reference to your official memorandum No.App 22/43-44 dated 10-11-1943 on the above subject, asking for a report with the connected records, I have the honour to forward herewith the connected vernacular files together with the petition and its enclosures received with Bangalore Sub Division Officer's report No.B2.599/43-44 dated 8-2-1944 for favour of perusal.

2. The copy of the office order in Muz.Appl.No.4/42-43 is enclosed to the file (flag.A). The facts of the case are explained in this office letter No.Muz.3988/40-41 dated 20-4-1943 addressed to you, your orders thereon conveyed in your letter No.C.217/39-40 dated 7-5-1943 were communicated to the local officers for immediate action and their final report is awaited.

3. It is reported by the Amildar, Bangalore South Taluk that out of a sum of Rs.1649-3-6 being the cash rent due from the petitioners from 1933-34, they paid up Rs.945-10-3 and that a balance of Rs.703-9-3 still remained to be recovered A sum of Rs.450-10-11 received towards land revenue on the several lands is proposed to be adjusted towards the cash rent due by the petitioners, as they have to pay cash rentonly. The balance of Rs.252-13-5 which remained over after this adjustment of the above amount has also been paid by them and credited to the temple funds on 18-1-1944.

4. The appellants are said to be mainly depending on these lands for their living. They have paid the entire arrears. As a measure of relief the Amildar recommends that the lease sales held for 5 years from and inclusive of 1943-44

may be confirmed for one year, only and the lands restored to the petitioners subject to their executing fresh lease deeds in favour of the temple.

5. The petitioners seemed very much depend upon the Razinama filed in O.S.706/24-25 before the I Munsiff Bangalore, for their defence. But so far as the decree thereon, is concerned, it is said that in the event, the tenants allowed the cash rent due to any one year to fall into arrears for more than two years the plaintiff(the sole dharmadarsi then) or his successor in office, in case he allows them to continue the tenancy, is competent to do so, on such terms as he may stipulate. In view of this therefore, if the prayer of the petitioners merits any consideration at all they may be allowed to re-enter upon the land subject to their executing fresh muchalikas binding themselves to pay a fixed annual cash rent consistent with the gutta, realised on similar lands in the neighbourhood. With this modification the Amildar's recommendation may if it commends itself to you be accepted. The sole dharmadarsi may also be kindly heard before passing final orders.

I have the honour to be,
Sir,
Your most obedient servant,

For Deputy Commissioner,
Bangalore District.

HSS.

21/2

Mis A 3537/44-4

Enclosure: one file.

Office of the Deputy Commissioner,
Bangalore District,
Dated Bangalore the 9th April 1945.

From

N. Madhava Rao, Esq., B.A.,
Deputy Commissioner,
Bangalore District,
B a n g a l o r e.

To

Rajasevaprasaktha,
M. S e s h a d r i, Esq., M.A.,
Muzrai Commissioner in Mysore,
B a n g a l o r e.

Sir,

Subject: Appeal before Government against the order of the Muzrai Commissioner in Appeal No 22/43-44 dated the 27th November 1944 by Dallali Ramaiaya and others: re: the lands endowed to Sri Banasankari Temple Sarabandepalya, Bangalore South Taluk.

....

With reference to your Memo. No Pl 36-790 of 44-45 dated the 20th February 1945 on the above subject, I have the honour to state that the facts of the case have been fully set ~~xxxx~~ out in your order in appeal No. 22/43-44 dated the 27th November 1944. The contention of the appellants in the Memo of appeal before Government that the Muzrai authorities have no jurisdiction to take action against the appellants to evict them from the possession of the lands belonging to the temple etc., is untenable in view of the factthat the appelllants have violated the terms of the compromise decree passed by the First Munsiff, Bangalore and that the Muzrai authorities, on behalf of the sole dharmadarsi of the temple have taken proceedings in the matter under the provisions of the Mysore Religious and Charitable Institutions Act and the Mysore Land Revenue Code, by virtue of the fact that the lands in question belong to a Muzrai institution. As observed in this Office Order in appeal No.4/42-43 dated the 12th August 1943, the fact of a compromise decree in a civil ~~xxxx~~ Suit will not be a bar for collection of arrears under the provisions of the Land Revenue Code and that the contention that the arrears are to be recovered through the Civil Court cannot stand to reason and is untenable.

The grant of pattas by the Shanbhogue in favour of the appelllants is undoubted a collusive tansaction and unauthorised as the lands are in the khate of the temple and are therefore inalienable. The stipulation regarding the payment of kandayam at the enhanced rate as per the terms of the Civil Court compromise decree is not negatived by any subsequent decree or order from a competent authority and therefore remains unaltered. That no authorities took objection to the issue of pattas by the Shanbhogue for a period of about nine years or that the appelllants were not actually wilful defaulters etc., are not valid grounds for the appellants to prefer a claim to pay the actual assessment entered on their pattas in lieu of the enhanced rate stipulated in the compromise decree

The file of correspondence ending with Bangalore Sub Division Officer's letter No. B 2 P.S.135/44-45 dated the 31st March 1945 is enclosed for favour of reference.

I have the honour to be,
Sir,
your most obedient servant,

M C Madhava Rao
For Deputy Commissioner,
Bangalore District.

NP.

Muz. No. 1.]

Register of sanctioned Scales of Income and Expend

of.. five .....years from..12-1-42.....to.....of Sri..Banasankari .....

No	Items of Income	Income			Remarks (changes in income and investments should be noted here)
		In kind		In cash	
		Quantity	Value		
1	Cash Grant			96 - -	
2	Malnad Nagad Inam				
3	Income from Inam Land (to be mentioned in the fly-sheet with respect to each property).			400 - -	
4	Income from other lands. (Details to be given in the fly-sheet)			172 13 4	
5	Income from Investments, Government Promissory Notes (Details to be given in the fly sheet.)				
6	Income from Savings Bank Puduvat Deposits			200 - -	
7	Miscellaneous Income ...				
	(a) Jatra collections (Date and duration of Jatra to be mentioned)				
	(b) Shop-tax			20 - -	
	(c) Cattle tax				
	(d) Dabbi and Kanike			15 - - 50 - -	
	Total ..			953 13 4	

N B.—Fresh changes occurring after an entry will be entered in the next page, a few a *shara* will be written "Superseded" by the scale sanctioned in order

sanctioned by the Deputy Commissioner, Bangalore District
../...f

III. [illegible]

1) Pay of archak
2) Pantrapushpa
3) Karaener and watchman
4) Archajantri
5) Thoti
6) Lighting charges
7) Contingencies

Bangalore District,

sanctioned by the Deputy Commissioner, .../...for a period

temple at Garabandepalya Hobli .. . . Taluk... Bangalore (South)

WD 02109—GPB—(2) 1,000—16 8 35

No.	Details of Expenditure	Sanctioned scale			Remarks (here enter No and date of the Govt or other order sanctioning the Scale)
		Quantity		Cost per month	
		Per day	Per month		
I	NITYAKTLE (Paditara and Deepa radhane) —				
	(a) Rice			- - -	
	(b) Ghee			- - -	
	(c) Oil			1 - -	36 per annum.
	(d) Cocoanuts and plantains, etc.			1 - -	
	(e) Flowers			- - -	
	(f)				
	(g)				
	(h)				
II	HECHUKATLE.—				
	(a) Birthday of H. . the Sankarala			- - -	
	(b) Navaratri			3 - -	Sanctioned by the Comr., in his Order No. D.O. 2730/41-42 dated 12-3-42.
	(c) Karthika			10 - -	
	(d) Karthike			- - -	
	(e) Dhanurmasa			1 - -	
	(f) Rathotsava			2 - -	
	(g) Rathasaptami			- - -	
	(h) Petrotsava			- - -	
	ESTABLISHMENT CHARGES. (1) Sivaratri —			- - -	
	(Details of Estt to be fully entered in the fly-sheet)			30 - -	1. (Vide Superintendent
	MISCELLANEOUS —				
	1. Kandayam on temple lands—				
	(a) Inam lands				
	(b) Sarkari lands			1 5 - -	
	2 Purchase of cloth, etc for [illegible] colour [illegible]			- - -	
	3 Percentage contribution to the Muzrai Establishment Fund			9 - -	
	4 Other items, if any				
	5 Reserve			1 10 - 1 3 -	
	Total			[illegible]	

being set apart for each institution according to the nature of the same in this page,

Dated entered in page

Copy

By Commissioner,

District

F G—1]

ECT..... Appeal of Dallale Ramaiah and others re: the tenancy rights in respect of certain lands endowed to Sri Ramanathesa Temple at Sarabandapalya in Ramagiri Hobli ... ...

Section Mwara

File No. 168 44

Serial No 4

/ No. of letter replied to..... 5A&R.....

No. M. 2314—1 (new)

To - The Mysore Commissioner in Mysore.
Bangalore

General and Revenue Secretariat
(Mwa. Section)
the 9th October 19 45

Sir,

of issue..... 12.10.45 .....

Adverting to the correspondence ending with your letter No. M1-C. 1114/44-45, dated the 15th May 1945, on the above subject, I am directed to observe that your order on the Appeal No. 22 of 1943-44, dated the 29th November 1944, proceeds on the view that since the tenants defaulted, the lease ipso facto ended and that the land-lord was entitled to take possession of the lands. The terms of the decree relied upon for this are those which provide for forfeiture. As the land-lord must issue, according to the Transfer of Property Act, a notice to the tenant before a claim of

ed by .....

of enclosures.

ied by .....

mined by .....

forfeiture in a lease is sought to be enforced and as it is not clear if this has been done, I am to request that information clarifying this point may be obtained and submitted.

2. The connected records are herewith returned for reference and early retransmission with your report.

I have, etc.,

for

For Pay. to Govt.,
Law Dept.

VILLAGE ACCOUNT FORM No. 11

ಗ್ರಾಮ ದಪ್ತರಿನ ನಮೂನೆ 11

RECEIPT PATTA

ರಸೀದಿ ಪಟ್ಟಿ

.....

.....

.....

.....

MD 01652—DTB—1,00,000—30-4-09

ಶೃ 0-0--9

Amildar

ಜಮೊಬಂದಿ

ಬಾಬುವಾರ್ ಪಟ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂಡಾಯ	
	ಸರ್ವೆ ನಂ.	ತಪಹೆ	ನಿಸ್ಪೆಣ್ ಎ. ಗು.	ರೂ.	ಆ.
1	2	3	4		5
ಬಂಗಾರಿಪಾಳ್ಯ	23-6	~~5-8~~ ಬಿಟ್ಟ	5-8	3	8
ಲೋ ॥ ಸೆಕ್ಯ				-	5
ಎಸಿ ॥ ಕೆಳಿಸ್ಯ				0	2
ಪಿ ॥				6	0
1 3-34			M.V. Ramaswamy		೭
V Srinivasaiah					

ವಸೂಲಿ ತಾರೀಖು 1	ಜಪ್ತಿ ಮಾಡಿದ ಹೊನ್ನು ಪಗಡೆ 2	ಯಾವ ಬಗ್ಗೆ 3	ಮಾವತಿಯೂದ ಮೊಖಲಗು ರೂ. 4	ಆ. 4	ಪೈ. 4	ಕೋರ್ಟ್ ಫೀ 5	ಪಟೇಲ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು 6
3-1934			6				
35		1934 35	2	0	0		
		1934 35	4	0	3		
			6	0	3		
36		1935 36	6	0	3		
2-38		1937-38	6	0	3		19-3-36
3-39		1938-39	5	11	9		

ಪಾತೆ

ಜಮೋಬಂದಿ ಸಾಲ್

ಎವಾರ್ ತಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಈಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

ಸಂ. 5

192 ನಸೂಲಿ

ಪಾವತಿ ತಾರೀಖು	ಪಾವತಿ ಮಾಡಿಸಿದವರ ಹೆಸರು 2	ಯಾವ ಬಗ್ಗೆ 3	ಪಾವತಿಯಾದ ಮೊಖಲಗು ರೂ.	ಆ. 4	ಪೈ.	ಪೋಷ್ಟೇಜ್ ಬಿಡಿ ಸ್ಟಾ 5	ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನು ಭೋಗನ ರುಜು 6
3-40	[illegible]	1939-40	5	12	0		
2-41	[illegible]	1940-41	5	12	0		
3-42	[illegible]	1941-42	5	12			
3-43	[illegible]	1942-43	5	13	6		

6

ಜಮಾಬಂದಿ

ಖಾತೆ

ಸಾಲ್

ಬಾಬುವಾರ್ ತಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹಿ	ಎಸ್ಟೇಣ್ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

ವಸೂಲಿ ತಾರೀಖು	ವಾಜಬಿ ಮಾಡಿದವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಮೊಬಲಗು			ಕೋರ್ಟ್ ಬಿದ್ದ	ಪಟೇಲ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರಜು
			ರೂ.	ಆ.	ಪೈ.		
1	2	3	4			5	6

1. ಈ ಪಟ್ಟಿಯಲ್ಲಿ ಕಂಡ ಮೊಬಲಗನ್ನು ಕೆಳಗೆ ಕಂಡ ಖಿಸ್ತು ಮೇರಿಗೆ, ಸಟೇಲನ ವಶಕ್ಕೆ ಪಾವತಿ ಮಾಡಿ ಪಟೇಲ್ ಯಾ ಖಚ್ಚಾನುಭೋಗನ ರುಜು ಪಡೆಯಬೇಕು.

1ನೇ ಖಿಸ್ತು	20ನೆ ಫೆಬ್ರುವರಿ ಯೊಳಗೆ	ಗುದಸ್ತೆ ಬಾಕಿ ಏನಾದರೂ ಇದ್ದರೆ ಪೂರಾ. ಚಾಲ್ತಿ ಜಮಾಖಂದಿ ಪೈಕಿ ಲೋಕಲ್ ಸೆಸ್ ಇರಿ ಗೇಷನ್ ಸೆಸ್ ಪೂರಾ. ಮೊಹತಫರ್ಕಾ 8 ಆಣೆಗೆ ಕಮ್ಮಿ ಇದ್ದರೆ ಪೂರ್ತಿ. ಜಾಸ್ತಿ ಇದ್ದರೆ ½ ಭಾಗ. ರೈತವಾರ್ ಯಾ ಪರ್ ಜಮೀನ್ ಕಂದಾಯ ½ ಭಾಗ.
2ನೇ ಖಿಸ್ತು	20ನೇ ಮಾರ್ಚ್ ಒಳಗೆ	ಪ್ರತಿ ಖಿಸ್ತಿನಲ್ಲಿಯೂ ರೈತವಾರ್ ಯಾ ಪರ್ ಜಮೀನ್ ಕಂದಾಯ ಮತ್ತು ಮೊಹತಫರ್ಕಾ ¼ ಭಾಗ. ತಕಾವಿ ಇದ್ದರೆ, ಕಂತು ಪೂರಾ ಸ್ಥುಪ್ತವಾದ ಖಿಸ್ತಿನ್ನ
3ನೇ ಖಿಸ್ತು	20ನೇ ಏಪ್ರೆಲ್ ಯೊಳಗೆ	
4ನೇ ಖಿಸ್ತು	20ನೇ ಮೇ ಯೊಳಗೆ	

2. ಈ ಪಟ್ಟಿಯನ್ನು ರೈತರು ತಮ್ಮ ಮನೆಯಲ್ಲಿ ಜೋಪಾನವಾಗಿಟ್ಟುಕೊಂಡಿದ್ದು ತಾಲ್ಲೂಕು ಜಮಾಖಂದಿ ಮತ್ತು ಹುಜೂರು ಜಮಾಖಂದಿ ಕಾಲದಲ್ಲಿ ಜಮಾಖಂದಿ ಆಫೀಸರವರ ತನಿಖೆ ಬಗ್ಗೆ ಹಾಜರ್ಪಡಿಸಬೇಕು.

3. ಕಂದಾಯವನ್ನು ಪಾವತಿ ಮಾಡಿದ್ದಾಗಲೆಲ್ಲಾ ಈ ಪಟ್ಟಿಯನ್ನು ಹಾಜರ್ಪಡಿಸಿ ದಾಖಲೆ ಪಡಿಯಬೇಕು. ಪಟ್ಟಿ ವಿನಹ ಸಾಧಾರಣವಾಗಿ ಬೇರೆ ರಸೀತಿ ಕೊಡಲಡುವುದಿಲ್ಲ.

4. ದರಖಾಸ್ತು, ರಾಜೀನಾಮೆ, ವರ್ಗಾವರ್ಗಿ ವಗೈರೆ ಮುಖಾಂತ್ರ ಖಾತೆ ಬದಲಾವಣೆ ಆದ ಹಾಗೆಲ್ಲಾ ಪಟ್ಟಿಯನ್ನು ಖಚ್ಚಾನುಭೋಗರು, ಅಥವಾ ಕೇಶದಾರರಲ್ಲಿ ಹಾಜರ್ಪಡಿಸಿ, ಜಮಾಖಂದಿ ಹೆಡ್ಡಿನಲ್ಲಿ ಅವಶ್ಯವಾದ ಕಮ್ಮಿ ಜಾಸ್ತಿ ಖತಾಯತಿಗಳನ್ನು ಮಾಡಿಸಿಕೊಳ್ಳಬೇಕು.

VILLAGE ACCOUNT FORM No. 11

ಗ್ರಾಮ ನಮೂನೆ ನಂಬರು 11

RECEIPT PATTA

ರಶೀತಿ ಪಟ್ಟೆ

ಪಟ್ಟೇದಾರನ ಹೆಸರು .....

ಗ್ರಾಮ .....

ಹೋಬಳಿ .....

ತಾಲ್ಲೂಕು .....

WD 01652—GPE—1,00,000—30 4-29

ಕ್ರಯ 0-0—9

జమాబంది

బాఁఎవార్ తప్సీల్	జమీన్ వివరం			ఈందాయ	
	సర్వే నం.	తఁహె	పస్లీ ఎఁణ్ ఎ. గు.	రూ.	ఆ.
1	2	3	4		5
పన్నాం జమీన్	631	2ఎ	6-18	7	9
(మీం.1 నీర్ప్ప)				0	7
అన్వే " నీర్ప్ప)				0	3
ఇలు వగైరా "				8	4
1.3 34	H.U. Rainfall				
V. Irrigation					
2 3 34					

192 .

ವಸೂಲಿ

ಪಾವತಿ ತಾರೀಖು 1	ಪಾವತಿ ಮಾಡಿದವರ ಹೆಸರು 2	ಯಾವ ಬಗ್ಗೆ 3	ಪಾವತಿಯಾದ ಮೊಬಲಗು ರೂ. 4	ಆ. 4	ಪೈ. 4	ಪೋಸ್ಟೇಜ್ ಸ್ಟ್ಯಾಂಪ್ ಬಿಲ್ಲೆ 5	ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು 6
18-3-1934.			8	4	9		
2 2/35			34	4	35		
2-7 35							
3-35							
9 4 37			8				
18 4/38			37	3	8		
27 4							

ಬಾಬುವಾರ್ ತಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

ಸ ಸ/ ಕಂ ಮಾಳಿಗೆ ಕಂ ಕಲ್ಲು ಮೇಲೆ
೨-೩೭ ಮನೆ ಕೋಳಿ ಮು ಕ ಮಾಳಿಗೆ
ಕೊಂಡಾಲು ಪೈ ಮಾಳಿಗೆ
ಕಲ್ಲು ಕಟ್ಟಡ.
12.4.41

ನಂ.

192 .

ವಸೂಲಿ

ಪಾವತಿ ಮಾಡಿದವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಮೊಬಲಗು			ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು
		ರೂ.	ಆ.	ಪೈ	
2	3		4		5	6

ಜಮೋಬಂದಿ ಸಾಲ

ಬಂಖುವಾರ ಹಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ
1	2	3	4		5	

ತಿಳುವಳಿಕೆಗಳು.

1. ಈ ಪಟ್ಟೆಯಲ್ಲಿ ಕಂಡ ಮೊಬಲಗನ್ನು ಈ ಕೆಳಗೆ ಕಂಡ ಖಿಸ್ತು ಮೇರಿಗೆ. ಪಟೇಲನ ವಶಕ್ಕೆ ಪಾವತಿ ಮಾಡಿ ಪಟೇಲ್ ಯಾ ಶ್ಯಾನಭೋಗನ ರುಜು ಪಡೆಯಬೇಕು.

1ನೇ ಕಂತು	20ನೆ ಫೆಬ್ರುವರಿ ಯೊಳಗೆ	ಗುದಸ್ತೆ ಬಾಕಿ ಏನಾದರೂ ಇದ್ದರೆ ಪೂರಾ. ಚಾಲ್ತಿ ಜಮಾ ಬಂದಿ ಪೈಕಿ ಲೋಕಲ್ ಸೆಸ್ ಇರಿಗೇಷನ್ ಸೆಸ್ ಪೂರ್ತಿ. ಮೊಹತಫರ್ಕಾ 8 ಆಣೆಗೆ ಕಮ್ಮಿ ಇದ್ದರೆ ಪೂರ್ತಿ. ಜಾಸ್ತಿ ಇದ್ದರೆ ¼ ಭಾಗ. ರೈತವಾರ್ ಯಾ ಇನ್ ಜಮಿನ್ ಕಂದಾಯ ¼ ಭಾಗ.
2ನೇ ಕಂತು	20ನೇ ಮಾರ್ಚಿ ಯೊಳಗೆ	ಪ್ರತಿ ಖಿಸ್ತಿನಲ್ಲಿಯೂ ರೈತವಾರ್ ಯಾ ಇನ್ ಜಮಿನ್ ಕಂದಾಯ ಮತ್ತು ಮೊಹತಫರ್ಕಾ ¼ ಭಾಗ. ತಕಾವಿ ಇದ್ದರೆ, ಕಂತು ಪೂರಾ ಕ್ಲುಪ್ತವಾದ ಖಿಸ್ತಿನಲ್ಲಿ.
3ನೇ ಕಂತು	20ನೇ ಏಪ್ರಿಲ್ ಯೊಳಗೆ	
4ನೇ ಕಂತು	20ನೇ ಮೇ ಯೊಳಗೆ	

2. ಈ ಪಟ್ಟೆಯನ್ನು ರೈತರು ತಮ್ಮ ವಶದಲ್ಲಿ ಜೋಪಾನವಾಗಿಟ್ಟುಕೊಂಡಿದ್ದು ತಾಲ್ಲೂಕು ಜಮಾಬಂದಿ ಮತ್ತು ಹುಜೂರು ಜಮಾಬಂದಿ ಕಾಲದಲ್ಲಿ ಜಮಾಬಂದಿ ತಪಸೀಲ್‌ದಾರವರ ತನಿಖೆ ಬಗ್ಗೆ ಹಾಜರ್ಪಡಿಸಬೇಕು.

3. ಕಂದಾಯವನ್ನು ಪಾವತಿ ಮಾಡಿದಾಗಲೆಲ್ಲಾ ಈ ಪಟ್ಟೆಯನ್ನು ಹಾಜರ್ಪಡಿಸಿ ದಾಖಲೆ ಪಡಿಯಬೇಕು. ಪಟ್ಟೆ ವಿನಹ ಸಾಮಾನ್ಯವಾಗಿ ಬೇರೆ ರಸೀತಿ ಕೊಡಲ್ಪಡುವುದಿಲ್ಲ.

4. ದರಖಾಸ್ತು, ರಾಜೀನಾಮೆ, ಪಗಡಿಜಗಿ ವಗೈರೆ ಮುಖಾಂತ್ರ ಖಾತೆ ಬದಲಾವಣೆ ಆದ ಹಾಗೆಲ್ಲಾ ಪಟ್ಟೆಯನ್ನು ಶ್ಯಾನಭೋಗರು, ಅಥವಾ ಶೇಕದಾರರಲ್ಲಿ ಹಾಜರ್ಪಡಿಸಿ, ಜಮಾಬಂದಿ ಹೆಡ್ಡಿನಲ್ಲಿ ಅವಶ್ಯವಾದ ಕಮ್ಮಿ ಜಾಸ್ತಿ ಖತಾಯತಿಗಳನ್ನು

ಪಾವತಿ ಕಾರಣವು 1	ಪಾವತಿ ಮಾಡಿದ ಹಣದ ಪರ 2	ಯಾವ ಬಗ್ಗೆ 3	ಪಾವತಿಯಾದ ಮೊಬಲಗು ರೂ.	ಆ. 4	ಪೈ.	ರೊಕ್ಕ ಬಿದ್ದಿ ಪೈಸೆ 5	ಪಟ್ಟೇ ಅಥವಾ ಶ್ಯಾನು ಭೋಗದ ರುಜು 6
	ಮುಂದೆ						
ತೆ. 34.	ಮುನಿ ರಂಗಪ್ಪ ಚಿಕ್ಕ ಬಿನ್ನಿ ಅಪ್ಪನಿಂದ.		500				ಮೇಲಿನ
	ಈ ಹಣವು ಮೇಲಾಕ್ಷರ		500				R. Ramaiah
2	ಮು						
35	ದಿ	34×35	9	3			ಪಟ್ಟ ಅಮಲ್ದಾ ಪಟ್ಟದ ಸರ್ಕಲ್
1.35	ದಿ	34×35	5	4	2		ಪಟ್ಟದ ಸರ್ಕಲ್
	ಒಂಟ್ಟಿ		7	7	2		
36	ಜಿಲ್ಲಾ ಕಾಲಾಳು		4	4			ಜಿಲ್ಲಾ ಕಾಲಾಳು

ಜಮೋಬಂದಿ

ಸಾಲ್

ುವಾರ ಹಪ್ಸೀಲ್	ಜಮ್ಮಿ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

ನಂ.

192 . ವಸೂಲಿ

ಪಾವತಿ ಆದೇಶ ನಂ.	ಪಾವತಿ ಮಾಡಿಸುವವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಮೊಬಲಗು			ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು
			ರೂ.	ಆ.	ಪೈ.	
	2	3		4		5	6

ಜಮೊಬಂದಿ

ಬಾಬುವಾರ್ ಹಪ್ತೀಲ್	ಜಮ್ಮಾ ವಿವರ			ಈಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4			

ನೆರ.

92 ವೆಸೊಲಿ

ಪಾವತಿ ಆದೇಶ ಸಂಖ್ಯೆ 1	ಪಾವತಿ ಪಡೆಯುವವರ ಹೆಸರು ಮತ್ತು ವಿಳಾಸ 2	ಯಾವ ಬಗ್ಗೆ 3	ಪಾವತಿಯಾದ ಮೊಬಲಗು			ಬಿಡಿ ಸೀಲು ಚೀಟಿ ಸಂಖ್ಯೆ 5	ಪಟೇಲ್ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು 6
			ರೂ.	ಆ. 4	ಪೈ.		

1. ಈ ಪಟ್ಟಿಯಲ್ಲಿ ಕಂಡ ಮೊಬಲಗನ್ನು ಈ ಕೆಳಗೆ ಕಂಡ ಕಿಸ್ತು ನೋಟಿಗೆ ಪಟೇಲನ ಸಹಿ ಪಾವತಿ ಮಾಡಿ ಪಟೇಲ್ ಯಜಮಾನ್ಯಾನುಭೋಗನ ರುಜು ಪಡೆಯಬೇಕು.

1ನೇ ಕಿಸ್ತು	20ನ ಫಬ್ರುವರಿ ಯೊಳಗೆ	ಆದರೂ ಇದ್ದರೆ ಪೂರಾ. ಚಾಲ್ತಿ ಜಾಪೊ ಬಂದಿ ಜೈಕಿ ಲೋಕಲ್ ಸೆಸ್ ಇರಿ ಗೇರ್ಷ ಸೆಸ್ ಪೂರಾ. ಪ್ರೊಹತರ್ಫ 8 ಆಣೆಗೆ ಕ ವಿಸ್ತಿ ಇದ್ದರೆ ಪೂರಾ. ಜಾಸ್ತಿ ಇದ್ದರೆ $\frac{1}{4}$ ಭಾಗ. ರೈತವಾರ್ ಯಾ ಇನ್ ಜಮೀರ್ ಕಂದಾಯ ಮತ್ತು ಪ್ರೊಹತರ್ಫ $\frac{1}{4}$ ಭಾಗ.
2ನೇ ಕಿಸ್ತು	20ನೇ ಮಾರ್ಚ್ ಒಳಗೆ	ಪ್ರತಿ ಕಿಸ್ತಿನಲ್ಲಿಯೂ ರೈತವಾರ್ ಯಾ ಇನ್ ಜಮೀರ್ ಕಂದಾಯ ಮತ್ತು ಪ್ರೊಹತರ್ಫ $\frac{1}{4}$ ಭಾಗ. ತಕಾವಿ ಇದ್ದರೆ, ಕಂತು ಪೂರಾ ಕ್ಲುಪ್ತವಾದ ಕಿಸ್ತಿನಲ್ಲಿ
3ನೇ ಕಿಸ್ತು	20ನೇ ಏಪ್ರೆಲ್ ಒಳಗೆ	
4ನೇ ಕಿಸ್ತು	20ನೇ ಮೇ ಒಳಗೆ	

2. ಈ ಪಟ್ಟಿಯನ್ನು ರೈತರು ತಮ್ಮ ವಕದಲ್ಲಿ ಜೋಪಾನವಾಗಿಟ್ಟುಕೊಂಡಿದ್ದು ತಾಲ್ಲೂಕು ಜಮಾಖಂದಿ ಮತ್ತು ಹುಜೂರು ಜಮಾಖಂದಿ ಕಾಲದಲ್ಲಿ ಜಮಾಖಂದಿ ಅಧೀನರವರ ತನಿಖೆ ಬಗ್ಗೆ ಹಾಜರ್ಪಡಿಸಬೇಕು.

3. ಕಂದಾಯವನ್ನು ಪಾವತಿ ಮಾಡಿದಾಗಲೆಲ್ಲಾ ಈ ಪಟ್ಟಿಯನ್ನು ಹಾಜರ್ಪಡಿಸಿ ದಾಖಲೆ ಪಡಿಯಬೇಕು. ಪಟ್ಟಿ ವಿನಹ ಸಾದಾರಣವಾಗಿ ಬೇರೆ ರಸೀತಿ ಕೊಡಲಡುವುದಿಲ್ಲ.

4. ದರಖಾಸ್ತು, ರಾಜೀನಾಮೆ, ವರ್ಗಾವಣೆ ವಗೈರೆ ಮುಖಾಂತ್ರ ಖಾತೆ ಬದಲಾವಣೆ ಆದಲ್ಲಾಗೆಲ್ಲಾ ಪಟ್ಟಿಯನ್ನು ಅನುಭೋಗರು, ಅಥವಾ ಕೌಲುದಾರ್ರಲ್ಲಿ ಹಾಜರ್ಪಡಿಸಿ ಜಮಾಖಂದಿ ಹೆಡ್ಡಿನಲ್ಲಿ ಅವಶ್ಯವಾದ ಕಮ್ಮಿ ಜಾಸ್ತಿ ಖತಾಯತಿಗಳನ್ನು

VILLAGE ACCOUNT FORM No. 11

ಗ್ರಾಮ ನಮೂನೆ ನಂಬರು 11

RECEIPT PATTA

ರಶೀತಿ ಪಟ್ಟೆ

ಪಟ್ಟೇದಾರನ ಹೆಸರು .....

ಗ್ರಾಮ .....

ಹೋಬಳಿ .....

ತಾಲ್ಲೂಕು .....

WD 01981—GPB—1,85,000 books of 8 pages each—11-3-38

ಕ್ರಯ 0–0–9

193 ಕ. 39 ಮನವಿ

ಪಾವತಿ ತಾರೀಖು	ಪಾವತಿ ಮಾಡಿದವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಪೊಬಲಗು ರೂ.	ಆ.	ಪೈ	ಪೋಸ್ಟೇಜು ಸ್ಟಾಂಪ್	ಪಟ್ಟೇರ್ ಅಥವಾ ಕಾನೂನು ಖರ್ಚು ರುಪಾ
1	2	3	4			5	6

4 ಖಾನೆ

ಜಮಾಬಂದಿ ಸಾಲ್

ಖಾಬುವಾರ್ ತಪ್ಸೀರ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು	ರೂ	ಆ.	ಪೈ
	2	3	4		5	

ವನೂಲಿ

ಪಾವತಿ ತಾರೀಖು	ಪಾವತಿ ಮಾಡಿದ ಪಾವತಿ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಪೊಬಲಗು			ರೋಜು ಬಿಡ್ಡಿ ವಾಟ	ಹಜೇರ್ ಅಥವಾ ತ್ಯಾನು ಭೋಗನ ರುಜು
			ರೂ	ಅ.	ಪೈ		
1	2	3	4			5	6

ಪಾ

ಜಮಾಬಂದಿ

ನಾ

೮-

ಗುಮಾರ್ ಶಪ್ಸೀರ್	ಜಮೀನ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ	ಪೈ
1	2	3	4		5	

ನಂ.

193

7

ಪನ್ನೂಲಿ

ಪಾವತಿಯಾದ ಮೊಬಲಗು					
ಪಾವತಿಯಾದ ದಿನಾಂಕ	ಪಾವತಿ ಮಾಡಿದವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ರೂ.	ಆ.	ಪೈ
1	2	3	4		

ರೋಜು ಬರ್ದಿ ಪಾಟ್ಟಿ	ಪಜೀರ್ ಅಥವಾ ಶಾನುಭೋಗನ ರುಜು
5	6

ತಳುವಳಿಕೆಗಳು.

1. ಈ ಪಟ್ಟಿಯಲ್ಲಿ ಕಂಡ ಮೊಬಲಗನ್ನು ಈ ಕೆಳಗೆ ಕಂಡ ಖಿಸ್ತು ಪ್ಮೈರಿಗೆ ಪಟ್ಟೀ ಉನ ವಶಕ್ಕೆ ಪಾವತಿ ಮಾಡಿ ಪಟ್ಟೀಲು ಯಾ ಶ್ಯಾನುಭೋಗನ ರುಜು ಪಡೆಯಬ್ಬೇಕು.

1ನೇ ಖಿಸ್ತು	20ನೇ ಫೆಬ್ರುವರಿ ಒಳಗ	ಗುದಸ್ತು ಬಾಕಿ ಏನಾದರೂ ಇದ್ದರೆ ಪೂರಾ. ಚಾಲ್ತಿ ಜಮಾಬಂದಿ ಪೈಕಿ ಲೋಕಲ್ ಸೆಸ್ ಇರಿಗೇಷನ್ ಸೆಸ್ ಪೂರಾ. ಮೊಹತರ್ಫಾ ಎಂಟಿನ ಆಣೆಗೆ ಕಮ್ಮಿ ಇದ್ದರೆ ಪೂರಾ. ಜಾಸ್ತಿ ಇದ್ದರೆ ನಾಲ್ಕನೆಯ ಒಂದು ಭಾಗ. ರೈತವಾರ್ ಯಾ ಖಾಯಂ ಜಮಾ ಕೆಂದಾಯ ನಾಲ್ಕನೆಯ ಒಂದು ಭಾಗ.
2ನೇ ಖಿಸ್ತು	20ನೇ ಮಾರ್ಚ ಒಳಗೆ	ಪ್ರತಿ ಖಿಸ್ತಿನಲ್ಲಿಯೂ ರೈತವಾರ್ ಯಾ ಖಾಯಂ ಜಮಾ ಕಂದಾಯ ಮತ್ತು ಮೊಹತರ್ಫಾ ನಾಲ್ಕನೆಯ ಒಂದು ಭಾಗ. ತಕಾವಿ ಇದ್ದರೆ, ಕಂತು ಪೂರಾ ಕ್ಲುಪ್ತವಾದ ಖಿಸ್ತಿನಲ್ಲಿ.
3ನೇ ಖಿಸ್ತು	20ನೇ ಏಪ್ರಿಲ್ ಒಳಗೆ	
4ನೇ ಖಿಸ್ತು	20ನೇ ಮೇ ಒಳಗೆ	

2. ಈ ಪಟ್ಟಿಯನ್ನು ರೈತರು ತಮ್ಮ ವಶದಲ್ಲಿ ಜೋಪಾನವಾಗಿಟ್ಟುಕೊಂಡಿದ್ದು ತಾಲ್ಲೂಕು ಜಮಾಬಂದಿ ಮತ್ತು ಹುಜೂರು ಜಮಾಬಂದಿ ಕಾಲದಲ್ಲಿ ಜಮಾಬಂದಿ ಅಧೀನ ರವರ ತನಿಖೆ ಬಗ್ಗೆ ಹಾಜರ್ಪಡಿಸಬೇಕು.

3. ಕಂದಾಯವನ್ನು ಪಾವತಿ ಮಾಡಿದಾಗಲೆಲ್ಲಾ ಈ ಪಟ್ಟಿಯನ್ನು ಹಾಜರ್ಪಡಿಸಿ ದಾಖಲೆ ಪಡೆಯಬೇಕು. ಪಟ್ಟಿಯನ್ನು ಸಾಧಾರಣವಾಗಿ ಬೇರೆ ರಸೀತಿ ಕೊಡುವುದಿಲ್ಲ.

4. ದರಖಾಸ್ತು, ರಾಜೀನಾಮೆ, ವರ್ಗಾವರ್ಗಿ, ವಗ್ಯೆರೆ ಮುಖಾಂತರ ಬದಲಾವಣೆ ಆದ ಹಾಗೆಲ್ಲಾ ಪಟ್ಟಿಯನ್ನು ಶ್ಯಾನುಭೋಗರು, ಅಥವಾ ಶೇಕದಾರರಿಗೆ ಹಾಜರ್ಪಡಿಸಿ, ಜಮಾಬಂದಿ ಹೆಡ್ಡಿನಲ್ಲಿ ಅವಶ್ಯವಾದ ಕಮ್ಮಿ ಜಾಸ್ತಿ ಖತಾಯತಿಗಳನ್ನು ಮಾಡಿಸಿಕೊಳ್ಳಬೇಕು.

ಮೈಸೂರು ಸರ್ಕಾರದ ರೆವಿನ್ಯು ಫಿಲೊಖೆ.

ಜಾಮು ಕಂದಾಯ ವಗ್ಗೈರೆ ಪಾವತಿ ಮಾಡಿದ ಬಗ್ಗೆ ಕೊಡಲ್ಪಟ್ಟ ರಶೀದಿ.

ತಾಲ್ಲೂಕು Seal **ನಂಬರು**.....

ಗ್ರಾಮ ಮತ್ತು ಹೋಬಳಿ ಅಬ್ಬಿಗೆರೆ ಕಸಬಾ

ಮೊಬಲಗು (ಅಕ್ಷರದಲ್ಲಿ) ಮೂರು ರೂಪಾಯಿ ಹದಿನೈದು ನಯಾ ಪೈಸೆ ಮಾತ್ರ

ಹಣ ಪಾವತಿಯಾದ್ದು ನಮೂದಿರುವ ಖರೀದಿ ಪಾನು ಮತ್ತು ತಾರೀಖು ನಂಬರು 21-3-ವೈ ೬

ಹಣ ಪಾವತಿ ಮಾಡಿದವರ ಹೆಸರು ಸಿದ್ದಪ್ಪ

ಯಾವ ಖಾತೆ ಮತ್ತು ಸರ್ವೆ*ನಂಬರು ಬಗೆ ಸರ್ವೆ ನಂ ೨೦೦ ಪಿ

ಸಾರುವವರು ಮತ್ತು ಕಾಯುವವರು ತಪ್ಪಿಲು ೧೩೭-೩೦

ಸೂಚನೆ. ಶ್ಯಾನುಭೋಗರ ರುಜು ಸಹಿ ಪಟೇಲರ ರುಜು

ಈ ಫಾರಂನಲ್ಲಿಲ್ಲದ ರಶೀದಿಯನ್ನು ಅಂಗೀಕರಿಸಲಾಗದು.

* ಹಣ ಪಾವತಿ ಮಾಡುವವರು ಇಂತಹ ನಂಬರಿಗೆ **ಎಂದು ನಮೂದು** ಮಾಡಿದಲ್ಲಿ ಅದನ್ನು ಈ ಸ್ಥಳ ಬರೆಯಬೇಕು

(ಹಿಂದಾಗ ನೋಡಿ)

ಸೂಚನೆಗಳು.

1. ಕಂದಾಯ ಪಗ್ಯೆರೆಗಳನ್ನು ಕೊಡತಕ್ಕವರಿಗೆ ತಮ್ಮ ಖಾತೆಯನ್ನು ನೋಡುವ ಹಕ್ಕುಂಟು.

2. ಪ್ರತಿ ಸಲ ಹಣ ಪಾವತೀ ಮಾಡಿದಾಗಲೂ ಪಟ್ಟಿಯಲ್ಲಿಯೇ ರಶೀದಿಯನ್ನು ಕೊಡಬೇಕು ಹಾಗೆ ಪಟ್ಟಿ ಹಾಜರ್ ಮಾಡದಿದ್ದರೆ ಬೇರೆ ಬೇರೆ ಇಂತಹ ರಶೀದಿಯನ್ನು ಕೊಡಬೇಕು.

3. ಎರಡು ಅಥವಾ ಹೆಚ್ಚಿಗೆ ಖಾತೆಗಳ ಹಣವನ್ನು ಕೊಟ್ಟ ವೇಳೆಯಲ್ಲಿ ಪ್ರತಿ ಖಾತೆಗೂ ಬೇರೆ ಬೇರೆ ರಶೀದಿ ಕೊಡತಕ್ಕುದು ; ಮತ್ತು ಒಂದು ಖಾತೆಗೇನೆ ಇಬ್ಬರು ಅಥವಾ ಹೆಚ್ಚು ಜನ ಹಣ ಪಾವತೀ ಮಾಡಿದಲ್ಲಿ ಪ್ರತಿಯೊಬ್ಬರಿಗೂ ಪಾವತಿ ಮಾಡಿದ ಮೊಬಲಗಿಗೆ ಬೇರೆ ಬೇರೆ ರಶೀದಿ ಕೊಡತಕ್ಕುದು.

4. ಅವಶ್ಯವಿದ್ದಲ್ಲಿ ಪಟೇಲ ಶ್ಯಾನುಭೋಗರು ರಶೀದಿ ಪಡೆಯತಕ್ಕವರ ರುಜುವನ್ನು ಸ್ಥಳ ಪ್ರತಿಯ ಹಿಂಭಾಗದಲ್ಲಿ ಪಡೆಯಬಹುದು

5. ರಶೀದಿಯನ್ನು ಕೊಟ್ಟಮೇಲೆ ಪಟ್ಟಿ ಹಾಜರ್ಮಾಡಿದಾಗ ಹಣ ಪಾವತಿಯಾದ ಸಂಗತಿಯನ್ನು ಸದರೀ ಪಟ್ಟಿಯಲ್ಲಿ ಬರೆಯತಕ್ಕುದು. ಅಲ್ಲದೆ ಬೇರೆ ರಶೀದಿ ಕೊಟ್ಟಿಧೆಯಂದು ರಶೀದಿಯ ನಂಬರನ್ನು ನಮೂದಿಸತಕ್ಕುದು.

VILLAGE ACCOUNT FORM No. 11

ಗ್ರಾಮ ನಮೂನೆ ನಂಬರು 11

RECEIPT PATTA

ರಶೀತಿ ಪಟ್ಟಿ

ಟ್ಟೀದಾರನ ಹೆಸರು ಹಿ.ನ.ವಿಲಂಗಪ್ಪಚಿ.ಸಿ.ಕಮಲ್ಲಿ

ಗ್ರಾಮ ಕಂರಿಗ್ನಾಪ್ಪ

ಹೋಬಳಿ ಉಚ್ಚೆಂಗಿದುರ್ಗ

ತಾಲ್ಲೂಕು ಮಾಯಕೊಂಡ

wD 01652—GPB—1,00,000—30 4-29

ಕ್ರಯ 0-0—9

19 ನೆ

ಜಮೊಬಂದಿ

ಸಾ

ಬಾಖುವಾರ್ ತಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ	
	ಸರ್ವೆ ನಂ.	ತರಹೆ	ವಿಸ್ತೀರ್ಣ ಎಕ್ರೆ. ಗು.	ರೂ.	ಆ. ಪೈ
1	2	3	4		5
	23 5	ಇಲ್ಲ	2 ೦ ೦	2	2 0
	24-4	ಕ	1 35	1	8
	—		3 3 5	3	10 0
ಅಂ ಇಷ್ಟು				0	3 9
ಒಟ್ಟು ಇಷ್ಟು				0	1 11
ಇ ಮೊತ್ತ				3	15
1-3 34					
2 3 34					

V Liesv work

ವಸೂಲಿ

ಪಾವತಿ ತಾರೀಖು 1	ಪಾವತಿ ಮಾಡಿದ ಹೆಸರು 2	ಯಾವ ಬಗ್ಗೆ 3	ಪ ವತಿಮಾಡ ಜೊತೆಲನು ರೂ. 4	ಆ.	ಪೈ.	ರಸೀದಿ ನಂಬರ್ 5	ಒಟ್ಟೇಕ ಅಥವಾ ತ್ಯಾನು ಭೋಗದ ರುಜು 6
3-36			3 15				
			3-15-8				
3-34			3 15 8				
3 36		1935-36	3 15 8				
37		1936-37	3 15 8				
39		1938 39	3 11 3				
		1939-40	3 11 3				

ಜಮಾಬಂದಿ

ಸಾಲ್

ತಾಲ್ಲೂವಾರ್ ಕಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹ	ವಿಸ್ತೀರ್ಣ ಎ ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

192 ವಸೂಲಿ

ವಸೂಲಿ ತಾರೀಖು	ವಸೂಲಿ ಮಾಡಿದವರ ಹೆಸರು 2	ಯಾವ ಬಗ್ಗೆ 3	ಪಾವತಿಯಾದ ಮೊಬಲಗು ರೂ.	ಆ. 4	ಪೈ	ರೆವೆನ್ಯೂ ಪೈಡ್ ಸ್ಟಾಂಪ್ 5	ಪಟೇಲ್ ಅಥವಾ ಕ್ಯಾನು ಭೋಗನ ರುಜು 6
4-4-41	[illegible]	1940-41	3	14		[illegible]	
1-3-42	ಅ	1941-42	3	11	3	[illegible]	

ಖಾತೆ

ಜಮೋಬಂದಿ ಸಾಲ್

ುವಾರ್ ತಪ್ಸೀಲ್	ಜಮೀನ್ ವಿವರ			ಕಂದಾಯ		
	ಸರ್ವೆ ನಂ.	ತರಹ	ವಿಸ್ತೀರ್ಣ ಎ. ಗು.	ರೂ.	ಆ.	ಪೈ.
1	2	3	4		5	

ವೆಸೂಲಿ

ಪಾವತಿ ಪಡೆದವರ ಹೆಸರು	ಯಾವ ಬಗ್ಗೆ	ಪಾವತಿಯಾದ ಮೊಬಲಗು			ರೂಪಾಯಿ ಪೈಸೆ	ಪಟೇಲ ಅಥವಾ ಶ್ಯಾನುಭೋಗನ ರುಜು
		ರೂ.	ಪೈ.	ಪೈ.		
2	3	4			5	6

1. ಈ ಪಟ್ಟಿಯಲ್ಲಿ ಕಂಡ ಮೊಬಲಗನ್ನು ಈ ಕೆಳಗೆ ಕಂಡ ಬಿಸ್ತು ಪೈರಿಗೆ. ಪಟೇಲನ ವಶಕ್ಕೆ ಪಾವತಿ ಮಾಡಿ ಪಟ್ಟಿಗೆ ಯಾ ಶ್ಯಾನುಭೋಗನ ರುಜು ಪಡೆಯಬೇಕು.

1ನೇ ಬಿಸ್ತು	20ನೆ ಫೆಬ್ರುವರಿ ಯೊಳಗೆ	ಗೇದಸ್ತೆ ಬಾಕಿ ಏನಾದರೂ ಇದ್ದರೆ ಪೂರಾ. ಚೌಲ್ತಿ ಜಮಾ ಬಂದಿ ಪೈಕಿ ಲೋಕಲ್ ಸೆಸ್ ಇರಿ ಗೇಷನ್ ಸೆಸ್ ಪೂರಾ. ಮೊಹತರ್ಫಾ 8 ಆಣೆಗೆ ಕಮ್ಮಿ ಇದ್ದರೆ ಪೂರಾ. ಜಾಸ್ತಿ ಇದ್ದರೆ $\frac{1}{4}$ ಭಾಗ. ರೈತವಾರ್ ಯಾ ಐ ಜಮಿರ್ ಕಂದಾಯ $\frac{1}{4}$ ಭಾಗ.
2ನೇ ಬಿಸ್ತು	20ನೇ ಮಾರ್ಚ್ ಒಳಗೆ	ಪ್ರತಿ ಬಿಸ್ತಿನಲ್ಲಿಯೂ ರೈತವಾರ್ ಯಾ ಐ ಜಮಿರ್ ಕಂದಾಯ್ತು ಮತ್ತು ಮೊಹತರ್ಫಾ $\frac{1}{4}$ ಭಾಗ. ತಕಾವಿ ಇದ್ದರೆ, ಕಂತು ಪೂರಾ ಕ್ಲುಪ್ತವಾದ ಬಿಸ್ತಿನಲ್ಲಿ.
3ನೇ ಬಿಸ್ತು	20ನೇ ಏಪ್ರೆಲ್ ಒಳಗೆ	
4ನೇ ಬಿಸ್ತು	20ನೇ ಮೇ ಒಳಗೆ	

2. ಈ ಪಟ್ಟಿಯನ್ನು ರೈತರು ತಮ್ಮ ವಶದಲ್ಲಿ ಜೋಪಾನವಾಗಿಟ್ಟುಕೊಂಡಿದ್ದು ತಾಲ್ಲೂಕು ಜಮಾಬಂದಿ ಮತ್ತು ಹುಜೂರು ಜಮಾಬಂದಿ ಕಾಲದಲ್ಲಿ ಜಮಾಬಂದಿ ಆಫೀಸರವರ ತನಿಖೆ ಬಗ್ಗೆ ಹಾಜರ್ಪಡಿಸಬೇಕು.

3. ಕಂದಾಯವನ್ನು ಪಾವತಿ ಮಾಡಿದಾಗಲೆಲ್ಲಾ ಈ ಪಟ್ಟಿಯನ್ನು ಹಾಜರ್ಪಡಿಸಿ ದಾಖಲೆ ಪಡಿಯಬೇಕು. ಪಟ್ಟಿ ಏನಹ ಸಾದಾರಣವಾಗಿ ಬೇರೆ ರಸೀತಿ ಕೊಡಲ ಪಡುವುದಿಲ್ಲ.

4. ದರಖಾಸ್ತು, ರಾಜೀನಾಮೆ, ವರ್ಗಾವರ್ಗಿ ವಗೈರೆ ಮುಖಾಂತ್ರ ಖಾತೆ ಬದಲಾವಣೆ ಆಗ ಹಾಗೆಲ್ಲಾ ಪಟ್ಟಿಯನ್ನು ಶ್ಯಾನುಭೋಗರು, ಅಥವಾ ಶೇಕದಾರ್ರಲ್ಲಿ ಹಾಜರ್ಪಡಿಸಿ, ಜಮಾಬಂದಿ ಹೆಡ್ಡಿನಲ್ಲಿ ಅಗತ್ಯವಾದ ತಮ್ಮ ಜಾಸ್ತಿ ಖತಾಯತಿಗಳನ್ನು ಮಾಡಿಸಿಕೊಳ್ಳಬೇಕು.

No. M1-1114/44-45. OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,
Encl. 2 files.

Bangalore, 26th November 1945.
27

R 2397

FROM

The Muzrai Commissioner in Mysore.
Bangalore.

To

The Secretary to Government,
Law Department, Bangalore.

SIR,

Subject.-Appeal of Lallali Ramiah and others Re: the tenancy right in respect of certain lands endowed to Sri Banasankari Temple at Sarabandepalya, Bangalore South Taluk.

With reference to your letter No.R.2345/Muz-108-44-4 dated 18-10-1945, enquiring whether a notice to the tenant under the transfer of property act was issued before a clause of forfeiture in a lease is sought to be enforced, I have the honour to state that it is reported that notices under section 209 of Land Revenue Code were served on the tenants and the originals of the notices with endorsement of service are enclosed in the records (vide pages 11 to 23 in the file).

A copy of Deputy Commissioner's letter No.Muz.C.3567/44-45 dated 20-11-45 together with the entire connected records is herewith sent for favour of reference.

I have the honour to be,
Sir,
Your most obedient servant,

Assistant Commissioner
for Muzrai Commissioner.

Cabsent on Duty.

Muz.C.3507/44-45
Bangalore

20th Novr. 1945

Subject.- Appeal before Government against the order of the Muzrai Commissioner in appeal No.22/43-44 dated 27-11-44 by Lalleli Ramian and others re. the lands endowed to Sri Banasankari Dev at Sarabandepalya, Bangalore South Taluk.

Adverting to the correspondence ending with your memo No.M.1114 dated the 26th October 1945 on the above subject, I have the honor to that the Sub Division Officer, Bangalore, reports in his memo No.B&R. C.1343/44-45 dated 13-11-45 that notices to the appellants Lalleli Ram and others were issued on 26-10-1942 from the Taluk Office and served the 12 persons named therein, as could be seen from the report of the Revenue Inspector dated 30-11-42 (Flagged F). The originals of the Not ssued on which there are remarks of endorsement of service of notices umbered as pages 11 to 23 in the file enclosed.

2. The file of correspondence ending with Bangalore Sub Division ficer's memo No.B&R.R.183-C.1343/44-45 dated 13-11-45 is enclosed for your of reference.

"COPY"

Accordedes'

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Immediate

Memo No. R.5369 Dated, Bangalore the 7th February 193

The Amildar of Bangalore ~~South~~ Taluk is directed to intimate to the parties whose names are noted below that the Muzrai case in which they are interested will be heard by the Minister for Agriculture ~~Member of Council~~ at the Old Public Office Buildings, Bangalore on Tuesday the 19th 1946 at 3 p.m. and that they should be present at the time of hearing.

8-2-1946 Munsif

Please return.

2. The result of action taken on this should be reported to this office and the notices returned duly served before the 12th February 1946.

By Order,

B R Srinivasamurthy

For Secretary to Government,
Law ~~Financial~~ (Muzrai) Department.

Muzrai Appeal No. 7 of 1944-45

Dallali Ramayya & others vs B.S Shankarappa Shetty

(1) Dallali Ramayya
(2) Muniyappa
(3) Munisamy
(4) Duruppa
(5) Imam Sab
(6) Shaik Khasim.

} Sarabandepalya, Bangalore South Taluk

Received on 8-2-46

Forwarded to the Revenue Inspector Uttarahalli Hobli for immediate Service & Report within 2 days

Amildar
For Taluk for Bangalore South

Rec'd on 12-2-46

Submitted

Mary
C.20
90 Duly Served + Submitted
AS.46.

Rec'd
15/4/46
Mary

Dr. N. Navalsecretary

15/4/46 Rec'd: ...

Subj

Subscribed to the Secretary to
Government Law & Parliamentary Department
for necessary pursuance

15/4/46

Secretary
15/4

Bengaluru Cooke Taluk

Original

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಫೈನ್ಯಾನ್ಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ

19[illegible] —19[illegible] ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....

—ದಿ ಪ್ರತಿವಾದಿ

ವಿಷಯ.

ಮೇಲೆಕಂಡ ಅಪೀಲು

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 19[illegible] ನೇ ಇಸವಿ ನೇ ತಾರೀಖು. ....ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಬ ತಾರೀಖು ನೇ ಮಾಹೆ 19[illegible] . ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು

By Order,
B R Srinivasa Murthy
for Secretary to Govt.
Financial (Muzrai) Dept.

WD 913 - GPB—1000 -27-11 33

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮದ್ ಮಹಾರಾಜರವರ ಗಾರ್ನಮೆಂಟ್ ಫೈನ್ಯಾನ್ಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

193 —193 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....

ಪ್ರತಿವಾದಿ

ವಾದಿ

ವಿಷಯ.

———

ಮೇಲೆಕಂಡ ಅಪೀಲು

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು
ನೇ ತಾರೀಖು.....ದಿವಸ ಬೆಂಗಳೂರು
193 ನೇ ಇಸವಿ
ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ
ಹಾಜರಾಗಬೇಕು.

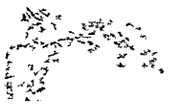
ಬ ತಾರೀಖು ನೇ ಮಾಹೆ 193 . ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
for Secretary to Govt.
Financial (Muzrai) Dept.

WD 913 - GPB—1000 27-11-33

L. T. mark of Imam Sab.

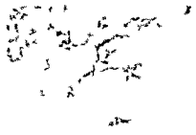


L. T. mark of Dallali Ramiah

L. T. mark of Muniappa brother of Dasappa.

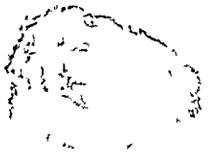
Both of them live in one and the same family.

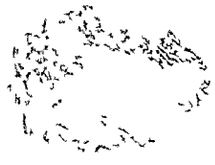
Served by me on 3/2/46



L.

Illegible





Served by
peon Hanumaiah
on 14/2/46 & 15/2/46

R.D

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಹೈ ~~ಕೋರ್ಟಿನಿಯಲ್~~
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

———

1934—1935 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....

ಪ್ರತಿವಾದಿ

ವಾದಿ

ವಿಷಯ.

———

ಮೇಲೆಕಂಡ ಅಪೀಲು

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರ್ಪುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು
ನೇ ತಾರೀಖು. .....ದಿವಸ ಬೆಂಗಳೂರು
34 ನೇ ಇಸವಿ
ಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ , ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ
ಜರಾಗಬೇಕು.

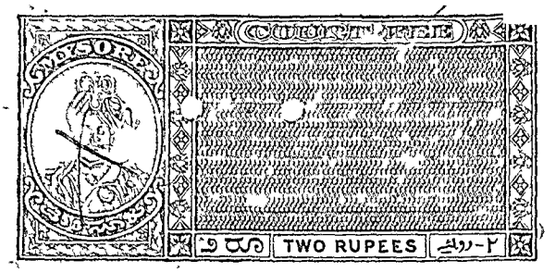
ಬ ತಾರೀಖು 5 ನೇ ಮಾಹೆ 193 . ಇಸವಿ

ಹುಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
for Secretary to Govt.
~~Financial~~ (Muzrai) Dept.

Received copy of the Notice

B. S. Shankaranarayana Setty
9.2.66



Resp

IN THE ~~COURT~~ OF Government of His Highness
the Maharaja of Mysore. Bangalore

NO. Mysore appeal 207 of 1945-46 OF 19 -- 19 .

~~Plaintiff.~~ Appellant & Petitioner.		~~Defendant.~~ Respondent.
R. allahs Ramesh Rev	Vs.	B. S. Sankaroffa Setty, Rao Bahadur Name of Sri Banasankaramma temple at Sanabande- palya

1., B. S. Sankaroffa Setty above named do, by these presents, retain Mr. A. Viswanatha Iyer Advocate to appear and conduct the above case on my behalf to judgment.

2. I further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf, and to receive from the Court all documents, refunds and all sums of money that I may be entitled to get and grant receipts therefor.

3. I also undertake to confirm and ratify all the acts done by the said Advocate or any other Advocate on his behalf in so doing.

16.2. 1946 B. S. Shankarappa Setty

Personally known to me and signed in my presence:--ACCEPTED.

A. Viswanatha Iyer
Advocate for...Respt.....

A. Viswanatha Iyer
ADVOCATE. for Respt
16/2/46.

Muz 168-44-6.

Ganesha Rao, B.A., B.L.,
Advocate

KESHAVA NIVAS
GANDHINAGAR
BANGALORE CI

R539/

43/4

13-4-46

The Secretary to Government
Law Department (Muzrai)
Public Offices,
Bangalore.

Dear Sir,

Muz. Appeal No. 7 of 45-46.
Ramiah and others Vs Lakshmana & Ors.

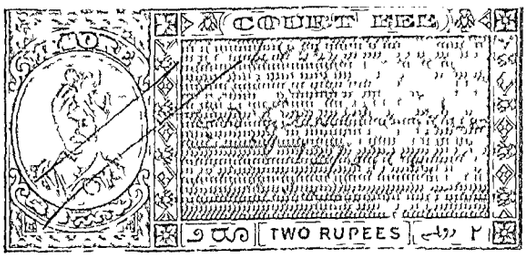
HG. 15-4-46.

I appear for the appellants in the above appeal which is posted to 1-4-46. I am conducting Bangalore Sessions Case No. 19 of 45-46 on the file of the Additional Sessions Judge, Bangalore on behalf of the prosecution. The case is going on for some days past and will continue for another three days in the next week also. Under these circumstances I will be unable to leave that court till the case is over.

In these circumstances I request that a short adjournment may be kindly granted in the above appeal so as to enable me to argue the case.

I regret the inconvenience caused by this request.

Yours faithfully,
S.D. Ganesha Rao
Advocate



Ag 19.4.46

Before the Court of His Excellency the Governor in Council

IN THE COURT OF

BANGALORE

73/4 Civil Appeal '44 - 45

CASE NO. OF 194 — 194

Appellant/Plaintiff/Petitioner		Respondent/Defendant.
Ramaiah	Vs.	

1. I/We the Appellant above named do, by these presents, retain Mr. D. Ramachandra Rao Advocate to appear and conduct the above case on my/our behalf to judgment.

2. I/We further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my/our behalf, and to receive from the Court all documents, refunds and all sums of money that I/We may be entitled to get and grant receipts therefor, and also empower him to enter into any compromise on my/our behalf.

3. I/We also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing.

Devaki Ramaiah
BANGALORE
.....194

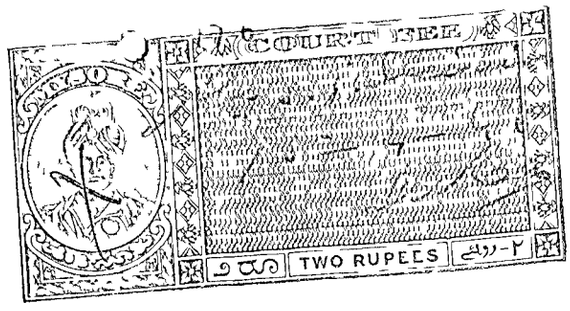
Munisappa

personally known to me and signed in my presence

Accepted.

S D Ganesha Rao
Advocate for appellant

PUROHIT POWER PRINTING PRESS, BANGALORE CITY



Misc. 168-1947.

Refer

BEFORE THE GOVERNMENT OF HI HIGHNESS THE MAHARAJA OF MYSORE AT B A N G A L O R E.

Muzarai Appeal No. of 44-45.

Appellants:- 1.Dallali Ramiah,
2.Imam Sab,
3.Muniyappa,
and other residents, i.e.

(i)Muniyappa.
(ii)Gurumurthi
(iii)Byamma.
(iv) Venkatamma.

residents of Sarabandepalya, Bangalore South Taluk, Bangalore.

Vs.

Respondent:- B.Shankarappasetty, sold Dharma Darsi, Sree Banasankari Temple, residing at Jumma Masjid Road, Bangalore.

Under Section 216 of the Mysore Land Revenue Code, the appellants abovenamed prefer this appeal against the order dated 27-11-1944 passed by the learned Muzarai Commissioner in Mysore, Bangalore in Muzarai appeal No.22 of 43-44 dismissing the appeal xxx preferred by the appellantas against the order of the learned Deputy Commissioner, Bangalore District, passed in Muzarai appeal No.4 of 42-43 on the following amongst other grounds:-

1.That the courts below have completely ignored the scope of the issues involved in the case since it has not been decided that the Muzarai Officers could not have any right in ejecting the appellants from their lands after the matter had been decided in the First Munsiff's Court, Bangalore

in O.S.No.705 of 24-25 wherein it has been stated that the appellants have been recognized to be the Khadim tenants and that they could not be ejected from their land otherwise than through the machinery of the Civil Court. Once there has been a decree the Muzarai Officers cannot have any right to summorily evict the tenants and that the eviction could be only through the Civil Court in execution proceedings and in this particular case that the eviction could not be reported to even by the Civil Court inasmuchas the decree has not been executed for over three years and as such the right to evict the tenants was lost unless through their default which could probably give rise to a cause of action to be adjudicated afresh. The copy of the decree of the First Munsiff's court shows that the proper form for adjudication of the ma bet ween the respondent and the appellants is the Civil Court and not the Muzarai Office. All the reliefs which are now given by the Muzarai Officers to the respondent are beyond their jurisdiction and power. If the Courts below had kept this aspect of the matter in view they would have refused to interfere in giving any relief to the respondent and would have asked him to go to the Civil Court.

2. That the learned Muzarai Commissioner has not taken into consideration the different aspects of the matter that were urged before him and has merely refered to the Civil Court order in merely saying that the respondent got a right to evict the tenants if there was any default in the payment of rent for two years without at the same time taking into consideration that the respondent could only get that

relief through the Civil Court.

3. That the order of the learned Muzarai Commissioner that the question of khadim tenancy in the case of the appellants did not arise is erroneous in view of the fact that the Civil Court where the matter has been adjudicated has held and already recognised the rights of the appellants and that the question of eviction or otherwise could only be construed in terms of the decree.

4. That the learned Muzarai Commissioner has erred in law in holding that the matter is absolutely left to the discretion of the sold - Dharma darasi the respondent to evict or take any such arbitrary decision in thematter for himself and he is the sole authority and therefore if he thought that it was prejudicial to continue the appellants as tenants he was entitled to evict them. This militates against the terms of the decree and the provisionsof the Land Revenue Code and is opposed to the principles of justice.

5. That the Court below is in error in not taking into consideration the fact that there has been phode survey of the lands of the entire village and that under the authority of the Taluk Office receipt patta has been issued by them to the appellants and that the appellants have not made any defaults in the payment of the dues -- according to the receipt patta granted to them - and it has ben erroneously held that it is the - work of the shanbhogue and it has been considered how the shanbogue could issue this Receipt -

pattas unless under the authority of the - Amildar and once the appellants had the receipt patta in their hands and they paid the dues as per the receipt patta which is the actual amount due by them in view of the fact that their lands were found to be deficient in actual - acreage than had been originally understood to be comprised, they were at liberty under ~~them~~ the terms of the decree to pay less and as such the act of the appellants is strictly under the - terms of the decree and also fair and legal. - Even if this should be considered as an erroneous belief created on the minds of the appellants, the learned Muzarai Commissioner could have taken into consideration that the appellants - have made good the amount due as originally - stipulated and that this should have been - considered in their favour inasmuchas that - they have not been willful defaulters.

6. That the learned Muzarai Commissioner could have taken a more sympathetic viewof the case set out for the appellants in view of the recommendations made by the Sub Division Officer and the Deputy Commissioner and that the continuance of these appellants is in the interests of the Temple.

7. That the Courts below are in error in not considering the effects of granting pattas, the entry of the names of the appellant in the Records of Rights Register - and the continued collection by the Officers concerned for nearly 9 years only the amounts

mentioned in the pattas, the learned Deputy Commissioner is in error in considering - that the appellants colluded with the authorities in unauthorisedly obtaining pattas. Such a suggestion has not been made by the party concerned. None of the disputing -- authorities took objection to the matter at all till it was disposed of by the learned - Deputy Commissioner. As such it clearly - shows that the appellants are not actually - wilful defaulters and the erroneous impression they had could have possibly been due to the issue of pattas.

.That the Courts below were in error in not giving sufficient time to the appellants to pay the amounts. The amounts were actually tendered before the disposal of the appeal by the learned Deputy Commissioner. - That at least should have weighed with the learned Deputy Commissioner and necessary - reliefs granted to the appellants.

9.That the gutta sales have all been - long after the appellants had preferred an appeal to the Deputy Commissioner and after they were requesting repeatedly the Court to dispose of the matter early and the actual - sales which have been nominal and in the - nominee of the respondent have not actually taken effect and the sale even if it has - taken place it does not stand as an impediment any way to the same being set aside.

10. That the courts below have failed to see that the appellants are the permanent tenants and that the ousting of the appellants from the lands either should have been made by filing a suit for ejectment or in the respondent applying to the Deputy Commissioner for relief as a superior holder.

11. The courts below have failed to take into consideration the fact that the Government in their proceedings No. 29-23-5 dated 26th January 1944 rejected the appeal of the respondent's father, against the order of the Muzarai Commissioner in Mysore, Bangalore and observed that the appellants could not be summorily evicted and that resort to civil court to evict them should be had. But curiously the very same order has been negatived by the present procedure which has been adopted by the lower courts.

12. That the courts below have also failed to take into consideration the Government proceedings in No.1534-5)Muz 264-27-4 dated17th March 1928 were pleased to accord approval to treat the above lands as Temple propert only subject to the terms of the compromise decree passed in the First Munsiff's Court, Bangalore.

13. That the courts below have failed to see that the issue of the patta led to -

the appellants into a sence of security and the payment by them for nearly ten - years under that erroneous impression -- clearly establishes their bonafides.

14. That the orders of the Courts - below is unsustainable.

15. That the orders of the Courts below are opposed to law, facts and - probabilities of the case.

Since an appeal has already been - filed by the other villagers on behalf of these appellants also this is filed by way of abundant caution and in continuation - of the appeal memorandum

Wherefore these appellants pray - that this Honourable Court be pleased to set aside the order of the lower courts and allow the appeal filed by the villagers.

Advocate for
appellants
Bangalore.
17th April 46.

COURT FEE TWO RUPEES

In the ~~Court of the~~ Before the Hon'ble High Court of His Highness the Maharaja of Mysore at Bangalore

Mys.A ~~Suit~~ No. 7 of 1944-1945

~~Plaintiff / Appellant~~ Petitioner / ~~Complainant~~.	Defendant / Respondent Counter petitioner / Accused
Dalali Ramaiah & Others	P. S. Thammappa & Others

Vs.

I, We the Supplemental Appellants ..... do hereby appoint and retain Mr. S. J. SRINIVASAN, B.A., LL.M., Advocate, Avenue Road, Bangalore City to appear for me in the above suit / Original / Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for excution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter or to compromise in my behalf in the said suit or matter

L.T.m. Munimappa S/o Hunne

L.T.m. of Gurumurthy

Accepted.

L.T.m. of Venkataram

L.T.m. of Ramanna

S. J. Srinivasan

ADVOCATE,
Bangalore City,

Dated, 13/4/1946

Personally known to me and signed in my presence.

S. J. Srinivasan

G.P. Press, B-City

COURT FEE

TWO RUPEES

Before The Govt of His Highness the Maharaja of Mysore, BANGALORE

IN THE COURT OF

Rev Br
16.11.46

Muz A No. 7 OF 1943—1944

Appellant/Plaintiff/Petitioner		Respondent/Defendant.
Dallali Ramaiah & others	Vs.	Bhaskarappa Setty

1. I/We T. Mallaiah above named do, by these presents, retain Mr. C. Kaveriappa Advocate and Mr. S. T. Sreenivasan Advocate to appear and conduct the above case on my/our behalf to judgment.

2. I/We further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my/our behalf, and to receive from the Court all documents, refunds and all sums of money that I/We may be entitled to get and grant receipts thereof, and also empower him to enter into any compromise on my/our behalf.

3. I/We also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing.

T. Mark of Romoiah

T. Mark of Khadim Sab

BANGALORE, 16

16—11—1946 T. Mark of Immam Sab

T. Mark of Munisamy

Personally known to me and signed in my presence

T Mark of Seenuvarappa

T Mark of Byamma

Accepted

C. Kaveriappa
Advocate for appellants

T Mark of Munisetty

PRINTED BY THE BANGALORE PRINTING PRESS BANGALORE

GOVERNMENT OF HIS HIGHNESS THE RAJA RAJA OF MYSORE.

Secretariat, Bangalore.

Memo No. R. 4361 / 1946 Dated the 6 - 11. 1946

The Amildar of Bangalore South Taluk is directed to intimate to the parties whose names are noted below that the Muzrai cases in which they are interested will be heard by the Minister for Revenue and Communications at the Old Public Office Buildings, Bangalore, on Monday the 18th November 1946 at 1.00 P.m., and that they should be present at the time of hearing.

2. The result of action taken on this should be reported to this office and the notices returned duly served before the 11th November 1946

By Order,

For Secretary to Government,
Law (Muzrai) Department.

Muzrai Appeal No. 7 of 1944-45.

Appellants:-
Dallali Ramaiah
Munyappa,
Muniswami,
Dasappa,
Imam Sab,
Sheik Khasim.

Respondent.

Muniyappa
Guruvamma
Byamma vs.
Venkatamma

B.S. Shankarappa Shetty -

Subject:- Tenancy rights in respect of certain lands of Soragondenahalya, Bangalore South Taluk pertaining to Shri Banashankari Temple there.

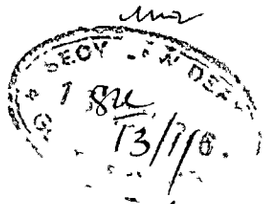
To the Appellants above named

HC 61/1147 Report submitted

Residential afforded Service.

13/11

13/11/66



Submitted to the Secretary to Government Law (Mwanza) Department with the original Summons bearing the acknowledgements of all the parties concerned for having received notices.

M. Johnson Assay

Asst Dist Off

Bukoba South

13/11/66

Ag DPP

13/11/66.

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗವರ್ನ್‌ಮೆಂಟ್ ಪ್ಲೀನ್ಯಾಷಿಯಲ್
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ

———

1944 —1945 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....7.....

ವಾದಿ
ದುರ್ಗಾಪರಮಯ್ಯ ಮತ್ತು ಇತರರು

ಪ್ರತಿವಾದಿ
ಆಡಳಿತಾಧಿಕಾರಿ ಶೆಂಕರಪ್ಪಶೆಟ್ಟಿ

ವಿಷಯ
ಬೆಂಗಳೂರು ದಕ್ಷಿಣ ತಾಲ್ಲೂಕು ಸರಬಂಡಿಪಾಳ್ಯ ದುರ್ಗಾದೇವಿ ಶ್ರೀಚಿಕ್ಕಮಾರಿಯಮ್ಮನವರಿಗೆ
ಪೂಂಪಾಲಾದ ದುಡ್ಡು ಮಿನುಗಳ ವಿಚಾರ.

———

ಮೇಲೆಕಂಡ ಅಪೀಲು ಪಾರ್ಟಿಗಳು

1 ದುರ್ಗಾಪರಮಯ್ಯ.
2 ಮುನಿಯಪ್ಪ
3 ಮುನಿಸ್ವಾಮಿ
4 ದಾಸಪ್ಪ
5 ವೆಂಕಟಸ್ವಾಮಿ
6 ಲೇಟ್ ಬಸೀಮ್.

7 ಮುನಿಯಪ್ಪ
8 ಮುದ್ದುಮುನಿಸ್ವಾಮಿ
9 ವೆಂಕಟಮ್ಮ
10 ಪಾರ್ವತಮ್ಮ.

} ಇವರಿಗೆ—

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 1946 ನೇ ಇಸವಿ ನವೆಂಬರ್ ತಿಂಗಳ 18 — ನೇ ತಾರೀಖು ಸೋಮವಾರದಿವಸ ಬೆಂಗಳೂರು ಕಛೇರಿಯಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ ಒಂದುಗಂಟೆಗೆ ನೀವು ಈ ಕಛೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಇ ತಾರೀಖು 5 ನೇ ಮಾಹೆ ನವೆಂಬರ್ — 1946 ಇಸವಿ

ಹುಕ್ಕಾಂ ಬೆಂಗಳೂರು

By Order,
for Secretary to Govt
~~Financial~~ (Muzrai) Dept
Law

WD 913 - GPB—1000 -27 11 33

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Immediate
Memo No. R. 4368 enq

Secretariat, Bagnalore,
Dated the 6.11.1946

The Amildar of Bangalore North Taluk is directed to intimate the parties whose names are noted below that the Muzrai cases in which they are interested will be heard by the Minister for Revenue and Communications at the Old Public Office Buildings, Bangalore, on Monday the 18th and Tuesday the 19th November 1946 at 1.00 p.m., and that they should be present at the time of hearing.

2. The result of action taken on this memo should be reported to this office and the notices returned duly served before the 11th November 1946

By Order,

Secretary to Government,
Law (Muzrai) Department.

(i) Muzrai Appeal No 7 of 1944-45 – Hearing on 18.11.46.

Appellants:– Dallali Ramaiah and others. vs. Respondent B.S. Shankarappa Shetty

Subject:– Re. the tenancy rights in respect of certain lands in Sarabanapalya, Bangalore South Taluk, pertaining to Shri Banashankari Temple there.

(ii) Muzrai Miscellaneous Petition No. 30 of 1946-47. Hearing on 19.11.1946

Petitioner:– Messrs. P. Subramanya Setty & Co., Proprietor, Panamarut Talukas vs. Counter-Petition The Chairman of the Managing Committee of the S.L.N. Charities, Bangalore

Subject:– Lease of Doddanna Hall for the Exhibition of Talkies

(i) In the first case:–

(a) Mr. S.G. Srinivasan, B.A., LL.B., Advocates for Appellants
Mr. D. Ganesh Rao, B.A.,B.L.

(b) Mr. A. Vishwanatha Iyer, Advocate for Respondent c/o. Mr B.S. Shankarappa Shetty

(c) Mr. B.S. Shankarappa Shetty, Gumma Mudaliar Road.

In the Second case.

(a) M/s. Subramdas Ltd., Proprietors. Paramount Sarees, Bangalore.
(b) The Chairman, S.K.N. Charities, Bangalore.

18/11

P. 808/46-7)

Submitted after service.

Lingaiah

Submitted to the Secretary to Govt of Mysore, Law and Muzrai Department, Bangalore after service.

P. Narasimha Murthy
Bailiff 16/11
16.11.46. B.N.T.

18/11/46.

18/11/46.

Original

ನೋಟೀಸ್.

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮತ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ~~ಫೈನ್ಯಾನ್ಷಿಯಲ್~~ ಲಾ
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

———

1944—1945 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....7.....

ವಾದಿ
ಚಿಕ್ಕಳಿರಾಮಯ್ಯನವರೆಯ್ಯಂಗಾರರವರು

ಪ್ರತಿವಾದಿ
ಚಿ॥ಎಸ್॥ಶಂಕರಪ್ಪಶೆಟ್ಟಿಯವರು

ವಿಷಯ.

ಬೆಂಗಳೂರು ದಕ್ಷಿಣಾಭಿಮುಖ ನರಬಂಡೆಹಳ್ಳಿಯಲ್ಲಿರುವ ಶ್ರೀ ಲಕ್ಷ್ಮೀಚನ್ನಕೇಶವಸ್ವಾಮಿ
ದೇವಾಲಯದ ದತ್ತಿಯ ಮಾನ್ಯಗಳ ವಿಚಾರ

———

ಮೇಲ್‌ಕಂಡ ಅಪೀಲು ಪ್ರತಿವಾದಿಗಳು ಮತ್ತು ಅವರ ಪರ ವಕೀಲರಾದ ಶ್ರೀಯುತರಿಗೆ

(i) ಶ್ರೀ ಚಿ॥ಎಸ್॥ಶಂಕರಪ್ಪಶೆಟ್ಟಿಯವರು, ಚುನ್ನಪೇಟೆ ಮಸೀದಿಯ ಹತ್ತಿರ.
(ii) ಶ್ರೀ ಎ. ವಿಶ್ವನಾಥ ಅಯ್ಯಂಗಾರವರು
ಠಿ/ಂ ಶ್ರೀ ಚಿ॥ಎಸ್॥ಶಂಕರಪ್ಪಶೆಟ್ಟಿಯವರು

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇಲೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 1946 ನೇ ಇಸವಿ ನವೆಂಬರ್ ಮಾಹೆ 18 ನೇ ತಾರೀಖು ~~ಸೋಮವಾರ~~ ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನಹಿಂದು ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಬ ತಾರೀಖು 6 ನೇ ಮಾಹೆ ನವೆಂಬರ್ 1946. ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
B Venkatanarasimhaiah
for Secretary to ~~Govt.~~
~~*Financial*~~ (*Muzrai*) *Dept.*

WD 913 - GPB—1000 -27 11-33

Received the duplicate

B. S. Shankarappa Setty

16.11.46

Received the duplicate

B. S. Shankarappa Setty

for Messrs. A. Viswanatha Setty

16.11.46

Original

ನೋಟೀಸ್

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ~~ಫೈನಾನ್ಷಿಯಲ್~~ ಮುಜರಾಯಿ
(ಮುಜರಾಯಿ) ಸೆಕ್ರಟೆರಿಯವರ ಆಫೀಸಿನಿಂದ.

1944—1945 ನೇ ಇಸವಿಯ ಮುಜರಾಯಿ ಅಪೀಲು ನಂಬರು.....7.....

ವಾದಿ
ಚಿಕ್ಕಳಿರಾಮಯ್ಯ ಮೆಲ್ಕುಟಿಕರು.

ಪ್ರತಿವಾದಿ
ಬಿ.ಎಸ್. ಶ್ರೀನಿವಾಸಪ್ಪನವರು

ವಿಷಯ.

ಚಿಂಗಳ್ಳಿಯು ಚಿಕ್ಕಬಳ್ಳಾಪುರ ತಾಲ್ಲೂಕಿನ ಸರ ಬಂಡೆಹಳ್ಳಿಯಲ್ಲಿರುವ ಶ್ರೀ ಲಕ್ಷ್ಮೀ ಜನಾರ್ದನಸ್ವಾಮಿ ದೇವಾಲಯದ ಧರ್ಮಸ್ಥಳಗಳ ವಿಚಾರ.

ಮೇಲೆಕಂಡ ಅಪೀಲು ಮಾದಿಗಳ ವರ ಅಡ್ವೋಕೇಟರಾದ —— ಗೆ

(i) ಶ್ರೀಯುತ ಎಸ್. ಡಿ. ಗಣಪತೀಶ್ವರಾಯರು, ಬಿ.ಎ. ಬಿ.ಎಲ್., ಗಾಂಧೀ ನಗರ
(ii) ಶ್ರೀಯುತ ಎಸ್. ಕೆ. ಶ್ರೀನಿವಾಸ ನ್ಯಾಯರವರು, ಬಿ.ಎ. ಎಲ್.ಟಿ.ಎಲ್.

ಮುಜರಾಯಿ ಕಮಿಷನರವರ ಹುಕುಮಿನ ಮೇರೆ ದಾಖಲುಮಾಡಿ ಇರುವ ಮೇಲ್ಕಂಡ ಅಪೀಲು 1946 ನೇ ಇಸವಿ ಸಪ್ಟೆಂಬರ್ ಮಾಹೆ 18 ನೇ ತಾರೀಖು ~~ಸೋಮವಾರ~~ ದಿವಸ ಬೆಂಗಳೂರು ಮೊಕ್ಕಾಮಿನಲ್ಲಿ ವಿಚಾರಣೆ ಮಾಡಲ್ಪಡುವುದರಿಂದ, ಆ ದಿವಸ ಮಧ್ಯಾಹ್ನ ೩ ಗಂಟೆಗೆ ನೀವು ಈ ಕಚೇರಿಗೆ ಹಾಜರಾಗಬೇಕು.

ಬ ತಾರೀಖು 5 ನೇ ಮಾಹೆ ಸಪ್ಟೆಂಬರ್ 1946. ಇಸವಿ

ಮೊಕ್ಕಾಂ ಬೆಂಗಳೂರು.

By Order,
for Secretary to ~~Govt.~~
Financial (Muzrai) Dept.

WD 913 - GPB—1000 -27-11-33

Received duplicate
G.V. Chamarama
for Mr S. J. Srinivasan
11-11-Ub

Received the duplicate
Sd Annadanayaking
for Mr. S D Ganesha Rao
Advocate
13.11.Ub

Appendix F. G.—1]

SUBJECT.....

Section Mysrai

File No. 16 E-44

Serial No. 8

Diary No. of letter replied to.... 5429/R...

No. R 57-83

ENDORSEMENT.

General and Revenue Secretariat (Mysr. Section)

the 25th November 1946.

Granted To :—

i). Muniyappa,
ii) Gurumurthi,
iii). Byamma
iv) Venkatamma

residents of Sarabandepalya, Bangalore South Taluk.

Through Mr. S.D. Ganesh Rao, B.A.B.L., Advocate, Gandhinagar, Bangalore City.

Date of issue ....27.11.46.

Signed by.... Mr K. Balasubramaniam

Mysrai Appeal No. 7 of 1944-45.

With reference to their petition dated the 14th April 1946, appealing against the order of the Mysrai Commissioner in Mysore in Appeal No. 22 of 1943-44, dated the 24th November 1944, confirming the order of the D.C., Bangalore District upholding the order of the S.D.O., Bangalore, re: the lease of the lands endowed to the Temple of Shri Banashankari at Sarabandepalya in Bangalore South Taluk, Muniyappa and others are hereby informed that their appeal is dismissed as

List of enclosures.....

Jodied by.....

Examined by.....

WD 04161—GPB—60,000—24-10-41

being barred by time.

By order

For Secy. to Govt., Law Dept.

R. 5284 of 27.11.46.

Copy to Shri B.S. Shankarappa Shetty, Respondent
39 Jumma Musjid Road, Bangalore City

COURT FEE

COURT FEE

OFFICE OF THE
MINISTER FOR REVENUE AND LAW, BANGALORE.

R. S. 1726 28/12/46

4039 R.

28th Dec.1946.

Appellant: Dallali Ramiah and 5 others.

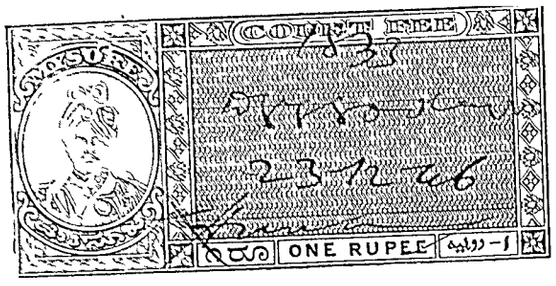
Respondent: B. Shankarappa Setty.

The Appellants state that they have remitted the decree amount in Muzrai Appeal No. 7/44-45 and request that the lands be returned back to them.

Place in correspondence file

30/12

31/12



P 1726
28/12/1946

Before the Goverment of His Highness
the Maharaja of Mysore at
Bangalore

Mugpai Appeal No. 7 of 1744
45.

Appellants:-

L.Tm
Dallam Ramaiah

L.Tm
of
Syed Imam Sab

L.Tm
of
Munisami

L.Tm
of
Khasimsab

L.Tm
of
Munisha

4040
R

P 1725
28/12

Muz 168-44-45.

BEFORE THE GOVERNMENT

OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Appeal No. 7/1944-45

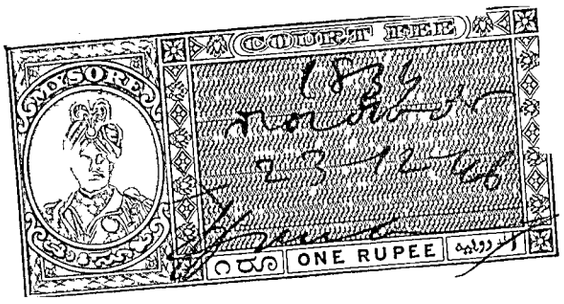
Appellants: 1) Guru Murthy
2) Byamma
3) Muniyappa
4) Bade Saib.

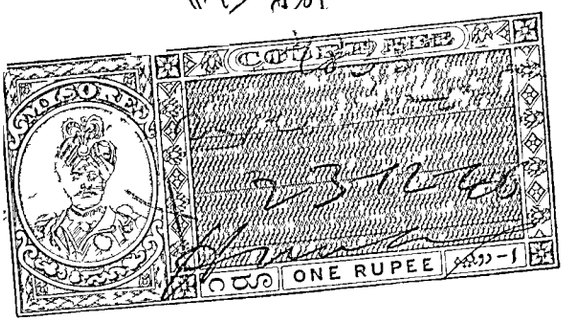
Vs.

Respondent B.Shankarappa Setty, Jumma Musjid Road, Bangalore City.

The Petitioners ~~request~~ state as follows:

They are poor ryots. They have been deceived. They have deposited the entire decreetal amount. In case they are not given the lands, they will be lost. They feel very much for what all has occurred. They request the Hon'ble Minister to kindly bestow the lands as on the previous occasion, keeping in view the poverty of the petitioners.





Before The Government of His Highness
The Maharaja of Mysore at
Bangalore

Mysore Appeal No 4 of 1944
45

Appellants:—

1 [illegible]

2 [illegible]

3 [illegible]

4 [illegible]

Respondent:— [illegible]

DETAILS SHOWING THE NAME OF TENANTS OF SARASANDAPALYAM.

Sl.No.	Name of the tenant at the time of Inam	Suit No.	Name of the present tenant	Name of the tenant who has filed appeal	Name of the tenants that have filed appeals before Government	Name of the tenant that have file II Appeal before Govt.
1.	Khasim Sab	[illegible]	[illegible]	Khadir Sab	Shick Kasim	
2.	Hussain Sab, deceased Hade Sahib & Gulsem Sab by his mother. Bailur C.	[illegible]	Hade Sahib Bailur Bi	[illegible]	Munilappa ✓	
3.	Ramakka	[illegible]	[illegible]	[illegible]	Syed Imam Sab ✓	
4.	Usman Sab alias Kudbi Sab	[illegible]	[illegible]	Imam Sab	[illegible]	Muniappa
5.	Kuloor Pillich	[illegible]	[illegible]	[illegible]	Ramiah ✓	
6.	Dallali Ramiah	[illegible]	[illegible]	[illegible]	[illegible]	Ayamma-Venkatamma
7.	Hanumanthr	[illegible]	Deceased [illegible]	[illegible]	[illegible] ✓	
8.	Nanjundam	[illegible]	[illegible]	[illegible]	Doddaiah ✗	
9.	Timmiah, Hanumakka		Timmiah Hanumakka	[illegible]		Gurumurthi.
10.	Gurumurthi		Gurumurthi	Gurumurthi		

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Appeal No. 7 of 1944-45.

Appellants:		Respondent:
Dalloli Ramaiah,) Muniyappa,) Puniswamy,) Dasappa,) Imam Sab,) Sheik Khasim, all of) Sarabandepalya.)	versus	B.N. Shankarappa Setty, Bangalore city.

Subject:- Regarding the tenancy rights in respect of certain lands of Sarabande palya and the neighbourhood in the Bangalore South Taluk pertaining to the temple of Shri Banashankari there.

****

Facts of the case -

The temple of Sri Banashankari at Sarabandepalya hamlet of Jaraganahalli in Uttarahalli Hobli of the Bangalore South Taluk was constructed by one Basappa Setty. On the request of his son, Somanna Setty, a monthly cash grant of Rs 8/- was sanctioned to the temple by Government in their order No. 2590-3/Muzrai 419-18-2 dated the 24th February 1919, for a period of 10 years and the grant is being continued from time to time, the latest order being No.2977-80/Muzrai 379-40-2 dated the 5th June 1941, which authorisesthe continuance of the grant up to end of 1949-50, the charges on this account being met out of the fund at the credit of Sri Kashi Vishweshwara swamy temple in Gosai Ghat at Srirangapatam, as hitherto. A sum of Rs 5,000/- offered by Somanna Setty as an endowment for the benefit of the institution was accepted by Government in their order No.604-7/Muz. 57-19-2 dated the 19th August 1919.

2. Later on, the same person offered certain lands in Jaraganahalli, Karisandra and Sarakki villages in Bangalore Taluk, valued at Rs 20,000/- and assessed at Rs 128-9-0, for up-keep of the temple and the offer was accepted by Government in

their order No.6514-8/Muz 662-21-4 dated the 19th May 1922, and Government directed that the lands might be leased out in consultation with the donor for a period of five years, and that he might be appointed the sole Dharmadarsi during his life time.

3. The marginally noted lands were accordingly leased out for a period of five years from 1922-23. The tenants in possession of these lands claimed Khadim tenancy rights, but no such rights could be recognised in respect of unalienated land and as the claims of these tenants could only be decided in a Civil Court, the Muzrai Commissioner ordered on the 20th February 1923 that the right of tenancy of the lands in question might be sold for five years to the best advantage, provided the sole Dharmadarsi undertook the conduct of any Civil litigation that might become necessary on behalf of the institution, and that if the Deputy Commissioner so considered he might continue the disputants as lessees, provided they agreed to pay the same rent as would be realised in public auction on the lease-hold rights and conformed to the conditions governing the lease of lands belonging to similar institutions.

Sl.No.	Village	S.No.
1.	Jaragenahalli	40/2
		43
		65
		66
2.	Kariasandra	21
		22
3.	Soraakki	21/1
		71/2

4. The parties having approached the Muzrai Commissioner with the prayer that his order directing the disposal of the lands might be reconsidered as they were Khadim tenants, he ordered on the 12th July 1923 that as there were no provision under the rules to oust these tenants the sole Dharmadarshi should either file a civil suit to evict them or seek as a superior holder relief from the Deputy Commissioner. On the appeal of Somanna Setty preferred before them against the order of the Muzrai Commissioner, Government confirmed

the....

the order of the Muzrai Commissioner (G.O.No.1082/Muz. 29-23-5 dated the 26th January 1924).

5. The sole Dharmadarshi applied in November 1923 to Government for the assumption of the institution and its properties under their control, and they granted his request in G.O.No.1327-8/Muz.25-23-7 dated the 26th March 1924, and directed that the Management of the Temple and the lands shall vest, on their behalf, in the Sole Dharmadarshi during his life time. Government permitted him in their Order No.71/Muz 2-25-2 dated the 14th July 1925, to sue the tenants in a competent court of law to recover the rents due from them. Accordingly he filed nine suits against the defaulters in the First Munsiff's Court, Bangalore. The suits were compromised in court in Original Suit No.706/1924-25 on the file of the Court, on condition that if the defendants failed to pay the rent in cash for a period of two years, they were liable for being summarily evicted.

6. Government accorded their approval in their order No.1584-5/Muz 264-27-4 dated the 17th March 1928, to treat the suit lands as temple property subject to the terms of the compromise and to recover the arrears of rent from the parties and credit the realisations to the temple fund. The tenants paid rent under the terms of compromise up to 1933-34. During that year receipt Pattas were granted to them unauthorisedly by the Shanbhog concerned after the introduction of the Record of Rights into the Taluk.

7. As the tenants defaulted, the local authorities issued notices to them. The parties contended that as they had become Pattadars they were not bound to pay enhanced rents, that they need pay only the assessment of the land and the arrears due from them, if any, nad...

had to be recovered through a Civil Court. The Amildar having reported that as the lessees had become defaulters it was open to Government to resume the lands cancelling the lease and lease them out afresh on new terms, and that mere issue of Pattas did not create any rights in their favour, the Sub Division Officer, Bangalore Sub Division, ordered on the 18th November 1942 that as the grant of Pattas was a collusive transaction between the Village Shanbhog and the defaulters, action should be taken to cancel it and that the defaulters should also be evicted from the lands, these being leased out afresh thereafter.

8. The lands were leased out for 3 years on 1st February 1943 and the lease sale was confirmed by the Sub Division Officer on 10th March 1943. Lease agreements were obtained from the lessees and duly registered on 21st April 1943, and they have been put in possession of the lands. The rent realised is reported to be higher than that paid by the petitioners.

9. Against the order passed by the Sub Division Officer an appeal was filed before the Deputy Commissioner by Ramaiah and others, in Muzrai Appeal No.4 of 1942-43 dated the 12th August 1943 and this was dismissed on the ground that the compromise ~~xx~~ decree does not come in the way of the recovery, of the arrears of rent under the Land Record Code. The Deputy Commissioner also upheld the order of eviction issued by the Sub Division Officer. The Muzrai Commissioner before whom the parties filed an appeal against the Deputy Commissioner's order also dismissed the appeal for the same reason in his order in Muzrai Appeal No. 22 of 1943-44 dated the 27th November 1944.

10. The present appeal before Government is against the above order of the Muzrai Commissioner.

Order No. R.6554-5 /Muz. 168-44-11

Dated, Bangalore, the 16th January 1947.

The case came up for hearing finally on the 20th December 1946 when Mr. S. J. Srinivasan for the appellants and Mr. Vishwanatha Iyer for the respondent were present and heard.

2. The appellants have no case as they have not kept up the terms of the compromise decree in the suits previously filed against them. The grant of pattas by the Shanbhogue, through oversight, mistake or otherwise and the incidental entries in the Record of Rights Registers do not obviously create any valid right or title in the lands or effect a change in the tenure of possession.

3 The appellants have sent a petition to Government subsequently stating that they have deposited the entire arrears according to the terms of the ~~xxxxx~~ decrees, that they feel ~~xxxx~~ repentant for what they have done so far through ignorance and deception and that the lands may be continued with them. It is not known whether the petition is genuine but one of their counsels, Mr. S.D.Ganesh Rao made representations later, on the date of hearing that the appellants who are all poor agriculturists and who have been hit hard, may be treated with as much consideration as may be possible. The lands having been leased out to third parties for a period of 5 years from 1943 and the lessees having been put in possession of the same, it is neither equitable nor desirable to interfere with the arrangement at this distance of time, especially

when....

when there is only about 15 months for the lease to expire. If the appellants should be sincerely repentant for what they have done and agree unreservedly to abide by the terms of the compromise decree in future and execute mutchalikas to this effect, the question of putting them in possession of the lands after the expiry of the present lease period may be considered by the local Muzrai Officers in consultation with the respondent, as sympathetically as possible.

4. With the above observations, the appeal is dismissed.

K Bala Subramanya
for Secretary to Government,
Law Department.

To

The Muzrai Commissioner in Mysore with the connected Records.

The Deputy Commissioner, Bangalore District.

tvr. 4.

G. R. S. App. F VI—G 2]

SUBJECT ..... A 68

Diary No. of letter replied to 4039-40/R

General and Revenue Secretariat
(Mwz. Section)
the 11th January 1947.

Date of issue 16.1.1947

Signed by ... Mr KB

Section. Muzrai
File No. 168-44
Serial No. 11

Proceedings of the Government of His Highness the Maharaja of Mysore

Muzrai Appeal No 7 of 1944-45

~~Read~~

Appellants:- Dallali Ramaiah, Muniyappa, Munisvami, Dasappa Imam Sab, Sheik Khasim, all of Saravandepalya.

Versus

Respondent. B. Venkatarappa Shetty, Bangalore City.

Subject:- Regarding the tenancy rights in respect of certain lands of Saravandepalya and the neighbourhood in the Bangalore South Taluk pertaining to the temple of Shri Banashankari there.

~~Order thereon. No.~~

—ooo—.

Facts of the Case:-

1 to 7, 215-B 16-2-47

As in Paras 1 to 17 of the typed notes.

ORDER No R. 6552-5 / Encls: 10 Files

Dated the 16th January 1947.

The case came up for hearing finally on the 20th December 1946, when

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

List of Enclosures:—

M.C's office Files.

1. R.Dis. 79 of 22-23;
2. " 134 " 23-24
3. " 110 " 24-25
4. " 169 " 24-25;
5. " 86 " 25-26;
6. " 103 " 27-28;
7. " 153 " 29-30;
8. D. Dis. 14 " 41-42;
9. R.Rev.App. 22 " 43-44
10. Vernacular Records ending with Memo No. B.2. P.T.183-C.1043/44-45, dated 13.11.45 from the S.D.O. to the D.C

Messrs. S. J. Srinivasan ~~and S. D. Ganesh Rao~~
for the appellants and Mr. Vishwanatha Iyer
for the respondent were present and heard

2.
3. } As in para 6 of the
4. } notes- orders of the Minister

GJB/13/1/47

For Secretary to Government
Law Department.

To- The Muzrai Commissioner in Mysore, with the connected records
" Deputy Commissioner, Bangalore District

4 Copies

Section – Muzrai
File No - 168-44
Serial No – 12.

No. R. 6536
encls:
Dated the 16th January 1947.

ENDORSEMENT.

Granted to: Dallali Ramaiah,
Muniappa,
Muniswami,
Dasappa,
Imam Sab,
Sheik Khasim.
residents of Sarabandepalya,
Uttarahalli Hobli, Bangalore South Taluk;
through their counsel
Mr. S. J. Srinivasan, B.A., LL.M.,
Avenue Road, Bangalore city.

List of Enclosure

Muzrai Appeal No. 7 of 1944-45.

With reference to their appeal dated the 30th January 1945, against the order of the Muzrai Commissioner in Muzrai Appeal No. 22 of 1943-44, dated the 29th November 1944, confirming the order of the Deputy Commissioner, Bangalore District, upholding the order of the Sub Division Officer, Bangalore Sub-Division regarding the lease of the lands pertaining to the temple of Shri Bangalore Amit at Sarabandepalya in the Bangalore South Taluk, the appellants above named are hereby informed that for reasons specified in G.O. No. R. 6536 Muzrai 168-44-11, dated 16

Copied by

Examined by

WD 0564—GPB—22,500—9-1 39

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No R 6556 /Muz. 168-44-12 *Dated, Bangalore,* 16th January 1947.

ENDORSEMENT.

Granted To :—

Dallali Ramaiah,
Muniappa,
Muniswami,
Dasappa,
Imam Sab,
Sheik Khasim,

Residents of Sorabandepalya Uttaranalli Hobli, Bangalore South Taluk, through their counsel Mr. S.J. Srinivasan, B.A., LL.M., Avenue Road, Bangalore city.

MUZRAI APPEAL NO. 7 OF 1944-45.

With reference to their appeal dated the 30th January 1945 against the order of the Muzrai Commissioner in Muzrai Appeal No. 28 of 1943-44, dated the 27th November 1944, confirming the order of the Deputy Commissioner, Bangalore District, upholding the order of the Sub Division Officer, Bangalore Sub Division, regarding the lease of the lands pertaining to the Temple of Shri Banashankari at Sarabendepalya in the Bangalore South Taluk, the appellants abovenamed are hereby informed that for reasons specified in Government Order No. R.6554-5/Muzrai 168-44-11 dated the 11th January 1947, their appeal is dismissed.

By Order,

Sd. S.Kanakaratnaraj.

Secretary to Government,
Law Department.

P.T.O.

Messrs. S.J. Srinivasan

Memo No. R.6557/Muz. 168-44, Dated the 16th January 1947.

Copy of the foregoing is forwarded to Mr.B.S. Shankarappa Shetty, Sole-Dharmadarshi of Shri Banashankari Temple and the respondent in the above appeal, Jumma Majid Road, Bangalore city for his information.

By Order,

Sd. S.Kanakaratnaraj.

Secretary to Government,
Law Department.

Memo No. R.6558/ Muz 168-44 Dated the 16th January 1947

Copies of the above are forwarded with compliments to the Muzrai Commissioner in Mysore in continuation of the G.O. dated the 16th January 1947 on the subject for information.

By Order,

S.Bala Rao

for Secretary to Governm t,
Law Department.

I. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*).

the 16th January 1947, their appeal is dismissed.

By Order,

13.

For Secretary to Government

Law Department

Memo No. R. 6557 Dated the 16th January 47,

Copy is forwarded to Mr. B.S. Shankarappa Shetty, Sole-Dharmadarshi of Shri Banashankari Temple and the respondent in the above appeal, Gumma Through Mr. A. Vishwanatha Iyer, B.A., B.L., Musjid Road, Bangalore City, for his information

By Order,

13/1/47

For Secretary to Government,
Law Department.

Memo No. R. 6558 Dated the 16 January 47.

Copies of the above G.O.C. to the M.C. in Mysore, in Continuation of the G.O. dated the 16th January 1947, on the subject for information.

By Order,

13/1/47

For Secretary to Government
Law Department.

12.1.47

WD 03697—GPB—30,000—2-2-46